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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
CENTRAL VALLEY AUDITORIUM
SACRAMENTO, CALIFORNIA

TUESDAY, SEPTEMBER 21, 2004

9:30 A.M.

TIFFANY C. KRAFT, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Linda Moulton-Patterson

Rosario Marin

Rosalie Mul

Michael Paparian

Cheryl Peace

Carl Washington

STAFF

Mark Leary, Executive Director

Julie Nauman, Chief Deputy Director

Elliot Block, Staff Counsel

Marie Carter, Chief Counsel

Holly Armstrong, Staff, Legal Office

Mitch Delmage, Manager, Waste Tire Division

Roni Java, Staff

Toni Jiminez, Executive Assistant

Jim Lee, Deputy Director

Howard Levenson, Deputy Director

Piper Miguelgorry, Staff

Pat Schiavo, Deputy Director

Georgianne Turner, Supervisor, Tire Facility Permitting &
Hauler Registration

Sharon Waddell, Board Secretary

Scott Walker, Branch Manager, Permitting and Enforcement
Division

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES CONTINUED

ALSO PRESENT

Marc Aprea, Aprea & Company

Celeste Cantu, Executive Director, State Water Board

Evan Edgar, CRRC

Joan Detton, Director, OEHHA

Jim Greco, California Waste Association

Jim Hemminger, Rural Counties ESJPA

Yvonne Hunter, League of California Cities

Gerard Kapusuk, Ventura County Environmental Energy
Resources Department

Alan Lloyd, Chairman, Air Resources Board

Justin Milan, CCDH

Mark Murray, Californians Against Waste

Terry Tamminen, Secretary, CalEPA

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1 PROCEEDINGS

2 CHAIRPERSON MOULTON-PATTERSON: Good morning. I
3 think we're going to go ahead and get started. I'd just
4 like to say welcome for the last time to the September
5 Board meeting of the Integrated Waste Management Board.

6 And I'd like the secretary to call the roll right
7 now.

8 SECRETARY WADDELL: Marin?

9 BOARD MEMBER MARIN: Present.

10 SECRETARY WADDELL: Mulé?

11 BOARD MEMBER MULÉ: Present.

12 SECRETARY WADDELL: Paparian?

13 BOARD MEMBER PAPARIAN: Here.

14 SECRETARY WADDELL: Peace?

15 BOARD MEMBER PEACE: Here.

16 SECRETARY WADDELL: Washington?

17 BOARD MEMBER WASHINGTON: Here.

18 SECRETARY WADDELL: Moulton-Patterson?

19 CHAIRPERSON MOULTON-PATTERSON: Here.

20 Ex partes.

21 Ms. Mulé?

22 BOARD MEMBER MULÉ: I'm up to date. Thank you.

23 CHAIRPERSON MOULTON-PATTERSON: Ms. Peace.

24 BOARD MEMBER PEACE: I'm also up to date.

25 CHAIRPERSON MOULTON-PATTERSON: I'm up to date.

1 Ms. Marin.

2 BOARD MEMBER MARIN: So am I.

3 CHAIRPERSON MOULTON-PATTERSON: Mr. Paparian.

4 BOARD MEMBER PAPARIAN: I'm up to date.

5 CHAIRPERSON MOULTON-PATTERSON: Mr. Washington.

6 BOARD MEMBER WASHINGTON: I'm up to date.

7 CHAIRPERSON MOULTON-PATTERSON: And I ask you to
8 please join me in the Pledge of Allegiance.

9 (Thereupon the Pledge of Allegiance was
10 recited in unison.)

11 CHAIRPERSON MOULTON-PATTERSON: Mr. Leary,
12 without objection from yourself and my Board members, I'd
13 like to go directly to Item Number 1, which is the
14 Election of a New Chair today.

15 And I'm not going to call on anyone, because I
16 want to have the honor and the pleasure of nominating
17 Rosario Marin. Rosario will do a great job as Chair. She
18 comes to us with so much experience at the federal, state,
19 and local level and community level. She's a mom. She
20 cares about education. She'll just be a terrific Chair.
21 And it's a great honor to nominate you for Chair, Rosario.

22 Mr. Paparian.

23 BOARD MEMBER PAPARIAN: I'd like to second that
24 nomination.

25 I think we're fortunate to have someone as well

1 qualified as Board Member Marin, and we all look forward
2 to working with you.

3 CHAIRPERSON MOULTON-PATTERSON: Thank you.

4 Can we go straight to the vote now?

5 Ms. Waddell.

6 SECRETARY WADDELL: Marin?

7 BOARD MEMBER MARIN: Can I pass on that one? Can
8 I be the last one?

9 CHAIRPERSON MOULTON-PATTERSON: Sure.

10 SECRETARY WADDELL: Mulé?

11 BOARD MEMBER MULÉ: Yes.

12 SECRETARY WADDELL: Paparian?

13 BOARD MEMBER PAPARIAN: Aye.

14 SECRETARY WADDELL: Peace?

15 BOARD MEMBER PEACE: Aye.

16 SECRETARY WADDELL: Washington?

17 BOARD MEMBER WASHINGTON: Aye.

18 SECRETARY WADDELL: Moulton-Patterson?

19 CHAIRPERSON MOULTON-PATTERSON: Aye.

20 Ms. Marin?

21 BOARD MEMBER MARIN: Aye.

22 CHAIRPERSON MOULTON-PATTERSON: Congratulations,
23 Rosario.

24 (Applause)

25 BOARD MOULTON-PATTERSON: Oh, the gavel, excuse

1 me.

2 CHAIRPERSON MARIN: Well, I'm truly honored and
3 grateful to my colleagues.

4 And I'd like to say a few words, because I come
5 on the heels of a wonderful woman who made history in
6 California by being the first woman to Chair this
7 important Board. And also she made history because she's
8 the longest serving Chair.

9 And, Linda, I have been to many places in many,
10 many different settings. And the job that you have done
11 for the state with the staff, with industry, with people
12 from the environmental industries, it's truly remarkable.
13 And your colleagues speak highly of you.

14 It's difficult. I'm going to be challenged to
15 fit in your shoes, but I will try. You've honored women.
16 You've honored people. You've honored elected officials.
17 You've honored everybody with your presence, with your
18 judgment, with your willingness to do what is right for
19 California. And I'm grateful and honored to follow your
20 steps. I just hope I can do justice.

21 BOARD MEMBER MOULTON-PATTERSON: Thank you very
22 much.

23 CHAIRPERSON MARIN: I don't know why I'm choking,
24 but this is truly special. And as the challenges we face
25 are great, so is our desire to meet those challenges. And

1 I look forward to, with my colleagues, continuing to do
2 the work that we have been mandated to do. It's a great
3 opportunity we have. And I always see challenges as
4 opportunities. And so as we head on, we don't want to not
5 acknowledge the great work that you've done.

6 So if you will allow us, there are some things
7 that we would like to do for you, Linda. And the first
8 thing that we're going to have is the children from the
9 Discovery Day Care to come up and do something for you.

10 I don't see Secretary Terry Tamminen. Oh, he
11 just walked in. Okay. So hold on to the -- oh, we're
12 going to have both. So we'll have the children first,
13 Secretary, so you can enjoy them as well.

14 SECRETARY TAMMINEN: Aren't they what it's all
15 about?

16 (Thereupon, a presentation was given by the
17 Discovery Day Care.)

18 (Applause)

19 CHAIRPERSON MARIN: Thank you so very much.

20 BOARD MEMBER MOULTON-PATTERSON: Thank you, boys
21 and girls.

22 (Applause)

23 CHAIRPERSON MARIN: Being a teacher, we thought
24 that you would enjoy that. They did a remarkable job. I
25 think they've been practicing since 5:00 this morning.

1 Okay. We have a special guest today. And,
2 Secretary Terry Tamminen, we stole you from a very
3 important meeting. You told us to call you up when we
4 were going to have this. So thank you for joining us
5 today.

6 SECRETARY TAMMINEN: Well, thank you for the
7 opportunity. And first of all, let me just say, you know,
8 there's a certain action hero film star who once said to
9 me, "never follow kids or animals." So I guarantee you my
10 presentation won't be as exciting.

11 But first of all, Madam Chair, let me
12 congratulate you on your election as Chair.

13 The demise of the Waste Board, much like Mark
14 Twain, is grossly exaggerated. Your work is extremely
15 important. And despite what many people might be hearing
16 through CPR or other processes of debate, we know the
17 incredible amount of hard work that this Board has done
18 and continues to do. And we thank all of you for your
19 dedicated service.

20 In particular today, I did want to recognize our
21 outgoing Chair, Linda Moulton-Patterson, who has served
22 with such distinction. The Governor has been really
23 complimentary and has asked me to come here in person
24 today to say thank you. And, of course, you've set a very
25 high bar.

1 So, Chairman Marin, you have your work cut out
2 for you, to be sure. But the Governor would also like to
3 present you with this commendation. And let me just read
4 this into the record. I think we're being webcast and
5 that sort of thing. If you wouldn't mind coming down to
6 join me so we can maybe get a picture.

7 This says, "On behalf of all Californians, I
8 am pleased to convey my sincere appreciation for
9 your continuing service as Chair of the
10 Integrated Waste Management Board during the
11 recent transition between administrations. Since
12 you became Chair more than four years ago, the
13 Board has achieved significant progress in its
14 efforts to reduce waste disposal. California
15 leads the nation in waste diversion, and your
16 zero waste vision sets the bar suitably high for
17 the future.

18 >Your personal commitment has helped bring
19 about tremendous improvements in environmental
20 education, and I applaud your service on the
21 California High Performance Schools Board. Your
22 leadership in green building will pay long term
23 dividends in energy conservation and enhanced
24 learning and working with environments and
25 schools and other public buildings across

1 California.

2 "Thank you for your service to the Integrated
3 Waste Management Board and to our great state.
4 Please accept my best wishes for every continued
5 success.

6 "Sincerely, Arnold Schwarzenegger."

7 (Applause)

8 BOARD MEMBER MOULTON-PATTERSON: Thank you,
9 Terry.

10 SECRETARY TAMMINEN: Congratulations.

11 BOARD MEMBER MOULTON-PATTERSON: Thank you so
12 much.

13 (Applause)

14 BOARD MEMBER MOULTON-PATTERSON: It's been great,
15 and I want to thank you for all your support. I'm going
16 to be able to give some thank yous here in a moment, but I
17 know that the Secretary has to leave. And thank you for
18 your support. You've been great. And I know I'll be
19 leaving this Board. I'm not leaving yet. I'm just
20 leaving as Chair. But I will be leaving sometime soon.
21 And I know I leave it in great hands with you and Rosario
22 and everyone on the Board. So thank you for being here.
23 It means a lot to me.

24 SECRETARY TAMMINEN: It's truly my pleasure.

25 (Applause)

1 SECRETARY TAMMINEN: And you know, many of you
2 have heard me use this quote from Dr. Martin Luther King,
3 Jr., before, but it's no more appropriate than today,
4 where he said that "anyone can be great because anyone can
5 serve. You don't need a college degree. Your verb and
6 your subject need not agree. You only need a heart full
7 of grace." And you, dear lady, are a heart full of grace.
8 Thank you for your service to your state.

9 (Applause)

10 BOARD MEMBER MOULTON-PATTERSON: Thank you,
11 Terry.

12 CHAIRPERSON MARIN: Wow. Okay. We actually have
13 someone else from the Governor's office who's here and is
14 joining us at the dais, Tod Burnett. Thank you very much
15 for being here with us on this momentous occasion.

16 Before I go on, Mark, you have something special.

17 EXECUTIVE DIRECTOR LEARY: Yes, I do, Madam
18 Chair. And congratulations, Chair Marin. And we look
19 forward -- representing the staff and the organization,
20 look forward to working with you and working for you in
21 your leadership. And also look forward to your signature
22 on a lot of bills that we will need to continue to make
23 our goals met.

24 But first and most importantly, I'd like to take
25 this opportunity on behalf of staff to pay our own little

1 tribute to outgoing Chair Linda Moulton-Patterson. Linda,
2 you've lead us in such a successful and fabulous way. We
3 are eternally grateful for your leadership.

4 And we have a little show we want to put on for
5 you, Linda. So it might be a little awkward for you. But
6 if you'll queue up the slide show presentation, this is our
7 gift from staff.

8 (Thereupon an overhead presentation was
9 presented.)

10 (Applause)

11 CHAIRPERSON MARIN: That was awesome. You can't
12 say anything yet.

13 I know that there are quite a few people that
14 would like to say a few things to Linda. And what we're
15 going to do -- I have a few speaker slips. I know all of
16 you want to sing praises to her. But just so that you
17 follow procedure, make sure you fill out a speaker slip
18 and then be giving them back to me. And after that, we're
19 going to have our Board members say a few words. And
20 then, Linda, you will want to say a couple of words, too.

21 So I'm first going to be calling Yvonne Hunter
22 from the League of California Cities.

23 MS. HUNTER: Good morning. I was not expecting
24 to be first, but I do have some notes. Yvonne Hunter with
25 the League of California Cities. And I'm here to speak

1 professionally on behalf of the League, but also
2 personally for myself.

3 Linda, you were the right person at the right
4 time. And I think you know what I mean by that. You
5 brought stability, calm, reasoned views, thoughtful views,
6 and grace to the position of Chair of the Board. And for
7 all of that, I know we are eternally grateful.

8 Shortly after you became Chair of the Board, you
9 came down to Monterey. I think there was a picture there.
10 And we had a breakfast session at the League's Mayors and
11 Council Members' meeting. And you were awesome. You
12 wandered around the room with just a few notes, and you
13 said what people needed to hear.

14 This has always been a wonderful Board to work
15 with. All of the Board members have brought skills and
16 reached out in partnership with local government. But you
17 put it to a higher level at that meeting. And what you
18 said, I think, and your tone and attitude at the meeting
19 exemplified how you continued to serve with local
20 government and with everybody. You were the first Chair
21 from local government, I think, and we've been delighted.

22 And you also brought one other asset with you to
23 the Board, and that's Bonnie Bruce. I would be remiss not
24 to mention that. Bonnie has been wonderful. She's smart.
25 She's a problem solver. She's fun to be with. So for

1 that, we thank you.

2 You're going stay on the Board a little while.

3 You'll always stay in my heart. And I'll think of you for
4 sure one day a year absolutely on our birthdays. And I'm
5 hoping that we'll be able to keep in touch, certainly as
6 long as Jerry stays on the Institute Board.

7 So thank you very much. You've been a true
8 partner.

9 Let me also congratulate Rosario. It's great to
10 have an old friend back where we can work together. You
11 were very active in the League. You're a wonderful
12 person. When everybody says, "What is she like?" She's
13 delightful. She's charming. She's lovely. She's smart.
14 And so I look forward to working with you. As I said,
15 we've always had friends on the Board who are -- or Board
16 members who are friends of local government. And I don't
17 want to play favorites, but the two of you, because of
18 your experience on City Councils and with the League, I
19 think bring a unique perspective. And I am just tickled
20 to death, and I look forward to working with you. And,
21 again, you also brought another asset to the Board, and
22 that's Scott. And I know that will be -- we'll laugh a
23 lot.

24 So thank you both. Linda, thank you so much.
25 And on behalf of the League, we wish you the best. Thanks

1 a lot.

2 BOARD MEMBER MOULTON-PATTERSON: Thank you.

3 (Applause)

4 CHAIRPERSON MARIN: It is my pleasure to call
5 Alan Lloyd, the Chairman of the Air Resources Board, a
6 wonderful gentleman who I admire so much. And I work with
7 him. Mr. Chairman.

8 AIR RESOURCES BOARD CHAIRMAN LLOYD: Thank you
9 very much, indeed. And good morning, Chair Marin, and
10 also outgoing Chair Linda Moulton-Patterson.

11 I'd just like to say a few words. It was a great
12 pleasure working with Linda. She's been a great colleague
13 on the BDO team, great also working technically, solving
14 common issues. And so it's been a wonderful experience.
15 And I think we've grown together recognizing the needs of
16 the Integrated Waste Management Board and the Air
17 Resources Board and the areas we have in common.

18 I'm also very excited to see Chair Marin come
19 also on board. You have my greatest respect.
20 Congratulations. As you indicated, we first encountered
21 each other during the NTBE. I had the great pleasure of
22 coming down to your community. You did a great job
23 showing the concern you had for your constituents. And
24 I'm actually probably the only person here who's gone with
25 you on a helicopter trip looking over the whole area.

1 But, also, it was tremendous to see your commitment, how
2 sharp you were, how dedicated. So I know the Governor has
3 made a great appointment here also.

4 And with you as Chair, we look forward to
5 continuing and building on the relationship we've had with
6 Linda and the great staff you have together. So
7 congratulations, and we look forward to working together.

8 BOARD MEMBER MOULTON-PATTERSON: Thank you very
9 much.

10 (Applause)

11 CHAIRPERSON MARIN: The Executive Director of the
12 Water Board, Celeste.

13 MS. CANTU: Good morning. On behalf of the
14 State's Water Board and our Chair, Art Bagget, who
15 couldn't be here today, I want to congratulate you, Chair
16 Marin. We look forward to working with you. We know you
17 bring the same kind of commitment that we tremendously
18 have enjoyed with Linda.

19 When I first came to the Water Board, I was
20 welcomed with a very large heart from Linda. She made me
21 feel very welcome. And I learned that she brought not
22 only a commitment to welcome new people on the 25th floor,
23 but also something that's very close to my heart that I
24 wear on my sleeve, and that's a commitment to rural
25 California, particularly rural California that exists on

1 the further southern most part of our great state, and
2 that's on the Mexican border. Linda was one of the few
3 people who actually went down to Imperial County,
4 something I'm consistently trying to drag people down to
5 Imperial County. And she did. She knows the issues. And
6 her commitment and her dedication to improving the quality
7 of life, not just in the most populous part of California,
8 but all parts of California was really demonstrated to me.
9 And for that, I will always keep you in my heart. And I
10 want to tell you how much we've appreciated your
11 commitment to California.

12 And congratulations again. We stand ready to
13 work with you to bringing you to all parts of California.
14 And I know you've been to many already, but including the
15 far edges of our great state. Thank you.

16 BOARD MEMBER MOULTON-PATTERSON: Thank you,
17 Celeste.

18 CHAIRPERSON MARIN: Thank you.

19 (Applause)

20 CHAIRPERSON MARIN: The next person will be Marc
21 Aprea with Aprea and Company.

22 MR. APREA: Thank you, Madam Chair.

23 Linda, I just want to say this is not goodbye.
24 This is a transition to a new role and new opportunities
25 for you.

1 I want to say this is all personal. Thank you
2 for always making us feel welcome. As one of the usual
3 suspects, it's always a pleasure to see you. But there
4 was never a meeting, there was never a tour, there was
5 never an issue that you weren't willing to personally
6 engage. And we were always grateful for your time, for
7 your energy, and for your skill.

8 Chairwoman Marin, it is a pleasure to welcome you
9 into your new role. I did not have the opportunity to get
10 to know you when you were on the Huntington Park City
11 Council. But I did get to know your colleagues first of
12 all, and they were always speaking of you in such high
13 terms that I knew that you were an incredible woman and
14 look forward to the opportunity of working with you in
15 your new capacity and new role.

16 So the best of luck to all of you. And thanks
17 again.

18 BOARD MEMBER MOULTON-PATTERSON: Thank you, Marc.

19 CHAIRPERSON MARIN: Thank you.

20 (Applause)

21 CHAIRPERSON MARIN: Jim Greco from California
22 Waste Associates.

23 MR. GRECO: For the record, Jim Greco, California
24 Waste Associates.

25 Chair Marin and members of the Board, thank you

1 for the opportunity to briefly express some feelings about
2 Linda. And I want to go back to a glimpse early in your
3 service on the Board, Linda.

4 October 20th, 1999, when the Board met in the
5 Watt Avenue office buildings. There was a number of
6 jurisdictions that were agendized for Compliance Orders.
7 One of them was the Inyo Regional Waste Management Agency,
8 Agenda Item 14. They asked for 30 more days to explain
9 why they were being agendized and what a correction would
10 be.

11 At that meeting, which was one of your first, it
12 took great courage to move the motion to take them off of
13 the compliance agenda for 30 days and give them the
14 opportunity to come back in November to see if they could
15 address the issues. What that showed me is compassion
16 working with cities and counties, courage in moving that
17 agenda item when others on the Board at that time were
18 very concerned about the precedent that might set to take
19 somebody off at a very public meeting, and trust in your
20 staff that they could work with Inyo County and the city
21 of Bishop. I still remember that day when you made that
22 motion as a very new Boardperson, and I still remember how
23 grateful Inyo County and the city of Bishop are today.
24 Thank you.

25 BOARD MEMBER MOULTON-PATTERSON: Thank you, Jim.

1 (Applause)

2 CHAIRPERSON MARIN: Mark Murray from Californians
3 Against Waste.

4 MR. MURRAY: Madam Chair, Members, Mark Murray
5 with Californians Against Waste.

6 First, Madam Chair, congratulations on your
7 election as Chair. You have some very beautiful shoes to
8 fill.

9 Linda --

10 CHAIRPERSON MARIN: I think we're the same size.

11 MR. MURRAY: -- thank you very much for your
12 leadership and for your support over the years. You know,
13 the easy thing to acknowledge you for is the fact that
14 under your watch California has become the nationwide
15 leader in waste diversion and recycling. And I also know
16 that during your tenure you've been very proud of your
17 work in education and making that connection.

18 But I want to highlight something else that for
19 our organization and for the environmental community and,
20 frankly, for nonprofits and organizations that can't
21 afford to hire lobbyists, the thing I really want to
22 highlight and thank you for is that during your tenure,
23 the Integrated Waste Management Board has really become
24 one of the most accessible public agencies in the state of
25 California. This organization's leadership in the use of

1 the internet, the fact this meeting is being broadcast
2 over the Internet, the fact that all the documents this
3 Board prepares are available in advance to the meeting on
4 the Internet allows folks, like myself, the environmental
5 community groups throughout the state, citizen groups to
6 participate in a very active and engaging way. And I want
7 to thank you for your leadership in helping make that
8 happen.

9 Overall, I want to just express personally how
10 wonderful it's been to work with you over the years. And
11 we continue to look forward to working with you as a
12 member of the Board.

13 And, again, I want to congratulate you,
14 Ms. Marin, for this position. And we really look forward
15 to working with you as well. Thank you very much.

16 BOARD MEMBER MOULTON-PATTERSON: Thanks, Mark.

17 CHAIRPERSON MARIN: Thank you.

18 (Applause)

19 CHAIRPERSON MARIN: Justin Milan from CCDH.

20 MR. MILAN: Good morning, Board members. Justin
21 Milan with the Environmental Health Directors representing
22 most of the LEAs in the state of California, children,
23 agents of the state.

24 Firstly, congratulations, Chairperson. I think
25 that's wonderful.

1 It's hard sometimes for us to stand up here as
2 your agents and as your siblings in a way in local
3 government and thinking of some of the superlatives that
4 we'd like to use to congratulate and thank Linda. There
5 are a few words that came through for us: Inclusion,
6 distinction, grace, education, and trust.

7 And I think many people will talk about your
8 professional accomplishments. And I think only a mother
9 and only a teacher and only a woman, perhaps, can deal
10 with the relationship this Board has to have with these
11 LEAs. Sometimes, like children that are trying to assert
12 themselves in the big wide world, we look up to you. But
13 at the same time, we challenge you.

14 We're part of a larger family. And I think for
15 the first time, we felt an opportunity to be treated as
16 equals, to be respected, to be understood. And you've
17 given us the will to work together with you. Whatever
18 CPR, whatever any legislator says about this Board, we do
19 feel that providing the access not only to us but all the
20 other stakeholders is imperative.

21 Linda, thank you very much for inspiring us and
22 giving us the opportunity to serve the people in
23 California.

24 BOARD MEMBER MOULTON-PATTERSON: Thank you,
25 Justin.

1 CHAIRPERSON MARIN: Thank you.

2 (Applause)

3 CHAIRPERSON MARIN: Evan Edgar from CRRC.

4 MR. EDGAR: Board members, Madam Chair,
5 congratulations.

6 Madam Chair Linda, well, with your leadership,
7 California was able to fulfill the promise of AB 939. The
8 industry has a vast investment in AB 939. You were able
9 to find the balance between local government and industry
10 in order to fulfill that promise. On behalf of the
11 industry, thank you.

12 (Applause)

13 CHAIRPERSON MARIN: John Detton -- Joan. My
14 glasses are not helping me. From OEHHA.

15 MS. DETTON: Good morning, my name is Joan
16 Detton. I'm the Director of OEHHA. And congratulations
17 to you, Chairperson Marin. Looking forward to working
18 with you.

19 Dear Linda, I remember meeting you at Fox and
20 Goose. I think it was over scrambled egg whites and dry
21 toast or something four years ago. And over these four
22 years, I think we've bonded personally, and our
23 departments have bonded in a way that had never occurred
24 before.

25 Over this time, I've really come to respect and

1 value your friendship, and the same with Bonnie. You guys
2 have really been a wonderful group to work with. And
3 thank you so much for your leadership.

4 Also, personally during a very tough time at the
5 Department, you were really there for us, and I will never
6 forget that. So thank you very much. And be sure and
7 keep me on your holiday card list so I can keep up with
8 you and Jerry. Thank you.

9 BOARD MEMBER MOULTON-PATTERSON: Thank you, Dr.
10 Detton.

11 (Applause)

12 CHAIRPERSON MARIN: And Jim Hemminger from Rural
13 Counties Environmental Services, JPA.

14 MR. HEMMINGER: Thank you, Madam Chair. And
15 congratulations on your new appointment. We do look
16 forward to working with you.

17 But I'm here today to say thank you to Linda.
18 And my vocabulary isn't particularly limited, but the
19 words really aren't available to express much appreciation
20 I have personally, as well as each one of our member
21 counties. You've been available to us. And perhaps more
22 than the LEAs, our 30 rural counties are challenging
23 sometimes with the Waste Board. And when you -- before
24 your Chairpersonship, most of our counties were ducking
25 the e-mails and phone calls from Waste Board staff, as Jim

1 indicated, fighting Compliance Orders. And it was really
2 under your leadership and the effort you took to really
3 understand the problems and the challenges our counties
4 have that we have been able to turn things around
5 completely.

6 Our counties have gone from less than 10 percent
7 recycling to over 40 percent recycling. And now we're
8 working closely with you and your staff to actually move
9 forward on this program. And it's definitely a direct
10 result of your role on the Board and your willingness to
11 get to know the counties, the local government, and people
12 who we need to work with.

13 You've been at our conferences. You visited us
14 in El Dorado and Mariposa. Those were wonderful events.
15 But perhaps even more importantly, away from the
16 spotlight, when no one else was watching, you took it upon
17 yourself to stop and visit all of our counties just to
18 understand what we were facing. And you will not ever
19 know how much appreciation our counties have for that.

20 So I won't go on. But thank you very much. And,
21 of course, Bonnie also. We really appreciate everything
22 you've done. Thank you.

23 BOARD MEMBER MOULTON-PATTERSON: Thank you, Jim.

24 CHAIRPERSON MARIN: Okay. If I may, I know that
25 members of our Board would like to say a couple of words.

1 I will say call upon the one that you have been serving
2 with the longest, Mike Paparian.

3 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

4 Linda, actually, I think you took office on my
5 birthday, which was a very good sign. You haven't let me
6 down.

7 I remember when you took over as Chair, you
8 really stepped up when the Board needed new leadership.
9 And you really did that unselfishly. I know you weren't
10 expecting initially to become Chair, but when the Board
11 needed new leadership, you stepped in. You provided that
12 leadership. You provided clarity. You provided fairness.
13 You provided decisiveness in your role as Chair. I think
14 we all appreciated that, Board members present and Board
15 members past.

16 A lot has been said about things that have gone
17 on during your leadership. And some of the things that
18 several of the people mentioned I wanted to highlight
19 also. You've streamlined our processes. You made them
20 very public. Our agendas, our transcripts are on the web
21 where they weren't before. People can listen through
22 webcasts of each of our meetings and Committee meetings.
23 People have access to our agendas on CD Rom. There's
24 wireless Internet access in this room. I'm glad nobody is
25 using it right now and is paying attention to what is

1 going on now, because this is very important.

2 And your access to people around the state I
3 think has been mentioned. Jim mentioned the 30 rural
4 counties that he represents. You visited every one of
5 those counties, I know, and all 28 more. You visited all
6 58 counties in the state. And I think that says something
7 about your leadership and your desire to be accessible to
8 the people of the state and to really hear the people of
9 the state and the issues of concern to them.

10 You've supported each of us in the things we
11 wanted to do. You've really enhanced our individual
12 efforts. I know for me personally working on electronic
13 waste, working on improvements in the Tire Program and
14 other issues, you've really helped me achieve some of my
15 goals. And I've appreciated that.

16 And at the same time, your support for
17 environmental education has really helped lead the
18 state -- not just the state, but the country what can be
19 done in the environmental education area.

20 I shouldn't forget Bonnie. I know Bonnie did a
21 lot during her tenure when you needed it and when we
22 needed it. Bonnie stepped in as Executive Director at a
23 time that was challenging for us. And you served as an
24 interim Executive Director. You directed the work of the
25 staff on environmental education, and I think you provided

1 all of us in here when we've been working through various
2 issues and concerns of the Board.

3 And there's a lot more I can say, and I'm sure
4 others will say some as well. But I think fundamentally
5 what's most important is that this agency and this state
6 are much better off for you having been here and having
7 served us. Our programs are stronger. Our work is
8 better. And our access to the public is like no other
9 state agency. So thank you.

10 BOARD MEMBER MOULTON-PATTERSON: Thank you, Mike.
11 That means a lot.

12 (Applause)

13 CHAIRPERSON MARIN: The next one will be Mr. Carl
14 Washington.

15 BOARD MEMBER WASHINGTON: Thank you, Madam Chair.

16 I would like to attach myself to all the great
17 comments that have been made, all the accolades that have
18 come forward. On behalf of Madam Chair, I tell you when I
19 came to this Board and I had a chance to meet Linda, I had
20 to have my pastor, my cousin, everybody else get to meet
21 her. I told them this is a genuine, gracious lady, and I
22 would like for people to know who the Chair of my Board
23 is.

24 And I've had the pleasure, Linda, of working with
25 you. You have certainly given me some great opportunities

1 to really get to know what the California Integrated Waste
2 Board is about, what we do, what we're supposed to do.
3 And you genuinely have a heart for the state of
4 California. You are a Californian. Your public service
5 goes way beyond this Board.

6 I remember reading about her husband, Congressman
7 Jerry Patterson. I worked for a former Congresswoman who
8 is now a Board of Supervisors member in California, Yvonne
9 Brathwaite Burke. And when I told her who the Chair of
10 the Board was, she said, "Oh, I know Linda. I know her
11 husband well." And so to hear my former boss say those
12 types of things and to say that about an individual, it
13 has been great.

14 I mean, you're firm. You're an excellent leader.
15 I don't care what anyone says. You're an absolutely
16 wonderful leader. You have done a great job as the leader
17 of our Board and the direction you've taken this Board in.
18 And I know others share those same comments with me.

19 Again, she's a very family lady. She loves her
20 family. She talks about them. And those types of things
21 sit well with the individual. When you're out here doing
22 the public's business, people sometimes forget as public
23 servants that we have lives outside of doing what we do
24 and that we have to attend to some of our own personal
25 issues in our families. And you've just done an excellent

1 job of taking care of your family, going on vacation with
2 them.

3 And I, too, share with Mike, Bonnie. If there's
4 no Linda, there's no Bonnie. And, unfortunately, you guys
5 couldn't be Bonnie and Clyde. You're Bonnie and Linda. I
6 love her. She's absolutely wonderful. Again, she is
7 smart. She knows what goes on at this Board. She knows
8 how to be a Chair Advisor to keep up with what's happening
9 with all of us and to make sure -- try to please
10 everybody. You guys have done a wonderful job as a team.

11 And I do want you to know that I am truly, truly
12 grateful for being under your leadership. And coming to
13 the Board at a time when we had that crazy C&D issue.
14 When I came to this Board, I had no clue what C&D meant.
15 And to try to vote on something, and the Chair bailed me
16 out, "Well, we won't make Carl vote today." Because I had
17 absolutely no clue as to what I would be voting on. And
18 you bailed me out.

19 So, again, thank you so much for your leadership.
20 I love you. Anything I can do for you. Like Mike said,
21 you're not going anywhere. But we're grateful that you've
22 served well as our Chair. And God bless you. Godspeed be
23 with you.

24 BOARD MEMBER MOULTON-PATTERSON: Thank you so
25 much, Carl.

1 (Applause)

2 CHAIRPERSON MARIN: Next is Cheryl. Ms. Peace.

3 BOARD MEMBER PEACE: Linda, I also want to thank
4 you so much for your leadership. And heaven knows, you've
5 seen this Board through some pretty contentious issues,
6 and you always handle it so beautifully. I know as busy
7 as you and Bonnie are, I mean, you always had time to
8 listen to my concerns, to answer my questions, and to
9 always be so supportive. I thank you so much for that.

10 And now that I'm Chair of a Committee myself, I
11 just want to say how grateful I am to have had you as a
12 role model. And I look so forward to working with you on
13 the Special Waste Committee. And thank you again for
14 everything you've done.

15 BOARD MEMBER PEACE: Thank you, Cheryl. That
16 means a lot.

17 (Applause)

18 CHAIRPERSON MARIN: And last but not least,
19 Rosalie Mulé.

20 BOARD MEMBER MULÉ: Linda, we've only had a few
21 months to work together, but I just want to thank you for
22 how welcome you made me feel from the first day I arrived.
23 I truly, truly appreciate all of your support. You were
24 always there. You would call, see how I was doing, make
25 sure everything was okay. Make sure I was settling in

1 okay. And I just want to let you know how much I truly,
2 truly appreciate that.

3 I was very impressed -- I have been very
4 impressed with your commitment to this Board and your
5 leadership and everything you've done in the short time
6 I've been here. But when I found out about your long term
7 commitment to public service, that's when I realized, here
8 is a special person. You are a role model truly for
9 everyone as far as, you know, your commitment to public
10 service. And I just want to thank you, not only for your
11 leadership on the Board, but your commitment and your
12 leadership in public service from the time you were on the
13 School Board to when you served in local government,
14 Coastal Commission, everything. I mean, it truly takes
15 someone special, someone who is selfless to make that kind
16 of commitment to public service. And I just want to thank
17 you. And I look forward to working with you in the next
18 few months.

19 BOARD MEMBER MOULTON-PATTERSON: Rosalie, thank
20 you so much.

21 (Applause)

22 CHAIRPERSON MARIN: Linda, I will tell you one of
23 the things that truly impresses me of any person who I
24 meet is immediately when they shake your hand and look you
25 in the eye and welcome you with open arms. And that was

1 your response to me. That was your initial gesture, if
2 you will. And the honesty, the integrity is felt
3 immediately. In shaking someone's hand, you can feel
4 that.

5 And I was truly impressed by you. I had read
6 about you. I was sure we even crossed paths while we were
7 both serving. But we have very similar backgrounds, and
8 we've had long services in the public sector.

9 It was amazing how we would be talking about
10 things. And it was interesting. Either she would say it
11 or I would say, "Well, you know what I'm talking about."
12 It was like, "Yes, I know what you're talking about,"
13 because we come from the same backgrounds as Mayors and
14 persons that serve in different levels of governments.
15 And we've run campaigns, and we've done a number of things
16 in our individual paths that never the less have similar
17 experiences.

18 I know it's going to be difficult to fill your
19 shoes. You leave a beautiful legacy, Linda. And you
20 ought to be very proud of yourself. I hope that at the
21 end of the day as all of us go to sleep, I know you've
22 experienced the wonderful joy of knowing that you've done
23 something good for the state of California. And I want to
24 thank you and commend you and offer my gratitude on behalf
25 of a grateful state for everything that you have done.

1 And Godspeed.

2 I know you're going to be with me for the next
3 few months anyway, so I'm comforted by that. And I know
4 that I will always be able to call upon you.

5 And I will be remiss if I do not acknowledge
6 Bonnie, because I know what a wonderful staff member she
7 has been. I have yet to hear somebody say a bad thing
8 about both of these ladies.

9 So thank you, Bonnie, for all your great service
10 to the state.

11 And, Linda, just know that our hearts are full of
12 joy, but more than joy is gratitude. Thank you.

13 BOARD MEMBER MOULTON-PATTERSON: Thank you so
14 much.

15 (Applause)

16 BOARD MEMBER MOULTON-PATTERSON: I just -- I'm
17 overwhelmed by this. And I just appreciate it so much.
18 It means so much to me. I'll just never forget this day.

19 And I want to say a few brief thank yous, if I
20 might Madam Chair. And I'm going to try not to answer to
21 Madam Chair anymore, but it's going take a while.

22 But anyway, this morning has just meant just a
23 great deal. I want you all to know that so much.

24 I first of all want to say thank you to my
25 husband, Jerry Patterson. Jerry, stand up.

1 (Applause)

2 BOARD MEMBER MOULTON-PATTERSON: Jerry has put up
3 with a lot. We'll leave it at that. No. He has been the
4 support and inspiration for me. And he's tried to tell me
5 sometimes when I didn't want to hear, but he's always
6 given me good advice. And I always take it. And he's
7 saying, "No, you don't." Well, some of the time I do.
8 But the main thing I want to thank him for is the support.
9 He's been great. And it takes a lot of support to be
10 Chair of this wonderful Board. And thank you, Jerry.

11 I also want to say thank you to my
12 brother-in-law, Mike Branstetter. Almost said Mike
13 Baker-Branstetter. My sister couldn't be here today. She
14 couldn't get off work. But Mike and Jeannie have had
15 Bonnie and I over to dinner practically every week for a
16 home cooked meal when we've been up in Sacramento. Mike,
17 thank you for being here. It means a lot.

18 I want to thank CalEPA and Secretary Tamminen.
19 As I said, he's been a great support. And the past
20 Administration Secretary, Winston Hickox, they just really
21 gave me the support I needed, and I appreciate it,
22 Undersecretary Branham.

23 And then I want to say thank you to Alan who
24 spoke earlier, and Celeste and Joan and to Art. He
25 couldn't be here. But you guys have been wonderful. And

1 I think that we have really grown as a family, the BDO
2 family, under CalEPA. And I just appreciate so much your
3 support. I hadn't really been on state government when I
4 came here, and you taught me a lot. So thank you.

5 Of course, I want to thank my Board members.
6 You're like members of my family now. I just can't thank
7 you enough.

8 Mike, we've been at it the longest together. So
9 thank you so much.

10 And, Carl, I love you. I love your sense of
11 humor. You brought something really needed to this Board.

12 And, oh, Cheryl, I was so glad to see you, my
13 first woman Board member. How things have changed. I was
14 the first woman for a long time. And now we have a
15 majority. Carl and Mike are wonderful, but having Rosalie
16 and Rosario just adds so much to it.

17 And I really think we have a great Board. I feel
18 really good about the six of us. And I want to thank you.

19 And I want to thank the usual suspects out there,
20 industry, the lobbyists, my friends. You've all become
21 friends, and I just can't thank you enough. It's been
22 wonderful.

23 Of course, to local government and Yvonne Hunter,
24 it's been great.

25 And my fellow environmentalists, Mark Murray and

1 all of you people. It's just been wonderful.

2 And the rural counties, it's been a pleasure to
3 go to all those counties. I would recommend that highly.
4 Jerry went with me. We went to Modoc County up there at
5 the top. It's just a great experience. So thank you all.

6 And I want to say thank you to the wonderful
7 staff of the Waste Board. I know I say it every time I go
8 out, and I know people probably get sick of it, but I have
9 never worked with a group of people as committed, as
10 talented, that have as much integrity as you people at the
11 Waste Board. It has been an honor to come to work every
12 day to work with you, and I support you whole heartily.
13 We'll continue to support you. And I mean, you're just
14 the greatest. And I think I've worked with some really
15 great staff through my career, but you are the greatest.

16 And last, but not last, I want to thank my
17 personal staff. Deborah McKee, I know, serves the entire
18 Board, but I couldn't do it without her. She's a part.
19 In my heart, she's still part of our staff. Thank you,
20 Deborah.

21 And Sharon Waddell, who I couldn't do anything
22 without. You've been wonderful, Sharon. And thank you
23 for all your support and help through some hard times as
24 well as the good times.

25 Joanne Vorhies, and we'll say more about Joanne

1 later today. But, Joanne, thank you. You were wonderful
2 when you were my technical advisor. I could not have done
3 it without you.

4 And then last but not least, please give a round
5 of applause to Bonnie Bruce, who really has done it all.

6 (Applause)

7 BOARD MEMBER MOULTON-PATTERSON: With that, I'm
8 going to turn it over to the new Madam Chair, thank you
9 all so much. It really means a lot.

10 CHAIRPERSON MARIN: Thank you, Linda. And now
11 it's my pleasure to invite all of you for a little
12 reception that we have for you. We're going to have cake
13 and punch outside. And we will reconvene at 11:00
14 o'clock. Thank you.

15 (Thereupon a recess was taken.)

16 CHAIRPERSON MARIN: We are going to reconvene the
17 Board meeting of the California Integrated Waste
18 Management Board.

19 Would you call the roll again?

20 EXECUTIVE ASSISTANT JIMENEZ: Mulé?

21 BOARD MEMBER MULÉ: Here.

22 EXECUTIVE ASSISTANT JIMENEZ: Paparian?

23 BOARD MEMBER PAPARIAN: Here.

24 EXECUTIVE ASSISTANT JIMENEZ: Peace?

25 BOARD MEMBER PEACE: Here.

1 EXECUTIVE ASSISTANT JIMENEZ: Washington?

2 BOARD MEMBER WASHINGTON: Here.

3 EXECUTIVE ASSISTANT JIMENEZ: Moulton-Patterson?

4 BOARD MEMBER MOULTON-PATTERSON: Here.

5 EXECUTIVE ASSISTANT JIMENEZ: And Marin?

6 CHAIRPERSON MARIN: Here.

7 What we're going to do next is I want to make
8 sure all of your ex partes are up to date.

9 Ms. Linda Moulton-Patterson.

10 BOARD MEMBER MOULTON-PATTERSON: I'm up to date.

11 I said hello to a lot of people, but nothing on the
12 issues.

13 CHAIRPERSON MARIN: Thank you.

14 Ms. Peace.

15 BOARD MEMBER PEACE: I spoke briefly to George
16 Larson and also briefly to Patrick Munoz from Madison
17 Materials.

18 CHAIRPERSON MARIN: Okay. I'm up to date.

19 Ms. Mulé?

20 BOARD MEMBER MULÉ: Just spoke briefly to Judy
21 Ware and Chuck Helget.

22 CHAIRPERSON MARIN: Okay. Mr. Paparian.

23 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

24 I spoke with the proponents of Item 4, the
25 Madison Materials facility.

1 I also spoke with Mark Murray and Scott Smithline
2 of Californians Against Waste regarding Items 16 and 17.

3 CHAIRPERSON MARIN: Okay.

4 And Mr. Washington.

5 BOARD MEMBER WASHINGTON: I'm up to date.

6 CHAIRPERSON MARIN: Perfect. Okay.

7 Next will be reports and presentations.

8 Ms. Moulton-Patterson.

9 BOARD MEMBER MOULTON-PATTERSON: Very, very
10 briefly. Again, thank you so much, everyone. I just
11 appreciate it so much. And I had a busy month.

12 It was a pleasure to attend the National
13 Recycling Coalition in San Francisco. We had a lot of
14 Board members, several Board members and staff, and
15 learned lots of great things. Mike did a terrific job on
16 the e-waste presentation. I enjoyed that very much. And
17 he just put it into such terms that it really was
18 understandable to everybody what we were doing and just
19 gave a terrific presentation.

20 I also want to thank the staff for all the work
21 they did on the Heroes's dedication in Santa Ana. This is
22 the new Heroes School that we were able to support on a
23 grant, \$600,000 grant, along with a Collaboration for High
24 Performance Schools. And Patty Wohl and her team worked
25 really hard on that. Bill Orr -- I started to say Jim

1 Orr. I'm still shook up about everything. Bill Orr has
2 done great things. It was just a great event. I wish
3 everybody could have been there. Mr. Paparian and Chair
4 Marin were there.

5 And it was really heart rendering to see the
6 little kids all performing. And this is going to be a
7 great school. I was really, really happy to see it
8 happen, because I had visited a school on Newport Coast in
9 Newport Beach that has all the bells and whistles and
10 sustainable features and all of the things that go along
11 with that. And it's really nice to see a school in more
12 of the inner-city setting -- the school's not there yet,
13 but that will be equipped with all the natural light and
14 the sustainable features. It was really great to see that
15 all come to conclusion. And Bonnie Bruce worked really
16 hard on this also. And everybody did a terrific job. It
17 was a great event.

18 So thank you. And that's my report for today.

19 CHAIRPERSON MARIN: Thank you.

20 Ms. Peace.

21 BOARD MEMBER PEACE: Okay. I also have a short
22 report.

23 I attended workshops on the Manifest System here
24 in Sacramento, as well as the one in Diamond Bar. I do
25 want to thank staff for their efforts on that.

1 I also met with the County of L.A. to discuss the
2 RAC Technology Centers and conversion technologies.

3 And also I met with several tire haulers as well
4 as local enforcement people to discuss the Tire Manifest
5 System.

6 CHAIRPERSON MARIN: Excellent.

7 Ms. Mulé.

8 BOARD MEMBER MULÉ: Well, I had another very busy
9 month, as you well know. I attended the California -- the
10 Los Angeles County Integrated Task Force meeting on the
11 19th and addressed that group.

12 And then at the end of August, we went around,
13 which I call the tire tour. We visited many, many tire
14 facilities, including Cal Portland Cement, BAS Tires,
15 Greenman Azusa, Lakin Tire, just a very, very interesting
16 tour and really gave me a whole new perspective on the
17 tire issues and just a much broader and better
18 understanding of what some of the issues are and how we
19 can hopefully move forward with some of the tire issues.

20 I also attended the National Recycling Coalition
21 in San Francisco. It was a very good conference. And I
22 will agree with Board Member Patterson. Mike did a great
23 job in moderating the e-waste session. I did moderate a
24 session on conversion technologies as well.

25 On September 8th, Rosario Marin and I attended

1 the California Refuse Remove Council Northern California
2 membership meeting, courtesy of Evan Edgar. Thank you
3 very much. And we had an opportunity to tour
4 Mr. Pestroni's unique composting operation at his winery.
5 So if you're ever out that way, you should go see it.

6 Also toured the Tracy tire site where the fires
7 occurred. Very, very interesting. And I just want to say
8 publicly that we do, once again, have some great staff.
9 Tod was just absolutely -- this man is -- again, talk
10 about role models in terms of being committed and
11 dedicated to that job and what he does. They're doing a
12 great job out there, and just appreciate it.

13 Last, but not least, I did attend the League of
14 Cities Conference last weekend. Again, it was a great
15 opportunity to meet and talk with local governments about
16 some of the things that we're doing at the Board. And as
17 a matter of fact, Madam Chair, we did have a request from
18 some of the City Council folks. They would like to see
19 the next year's conference have a session on the Waste
20 Board and some of the things that we do. So hopefully we
21 can get that arranged for next year.

22 Thank you. That's it.

23 CHAIRPERSON MARIN: Sure. I know Yvonne is not
24 here anymore, but she'll make sure we do that. We'll do
25 that on our end.

1 Mr. Paparian.

2 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

3 I also had a pretty busy month. The Public
4 Affairs team put together an event at Fox Studios to deal
5 with our e-recycle website and hopefully involve some of
6 the electronics industry in development of that effort
7 related to education on the e-waste effort.

8 And, you know, I really want to thank the Public
9 Affairs team. I think the things they do are just
10 remarkable. The Heroes School event, which we both
11 attended. I think, you know, Jon Myers deserves a real
12 credit for coming in here and really inspiring the team
13 and getting some really good things done. And I know
14 Chris Peck and Roni Java and Deb Orrill and Lanny
15 Clavecilla and Jill Jones -- I'm sure I'm missing some
16 names -- have all been just really doing hard work and
17 doing effective work on our behalf. I think they deserve
18 a lot of credit for what they do.

19 I also visited the Mitsubishi Cement Plant in
20 Lucerne Valley, the BAS Tire Facility out in San
21 Bernardino, and learned a lot from those facilities.

22 I visited the Bentley Prince Street Carpet
23 Manufacturing Facility. They actually take some of that
24 carpet from L.A. Fiber that we help get recycled, and they
25 put it into new products at their facility in the City of

1 Industry. And they are really doing some remarkable
2 things on reducing their environmental impacts and using
3 recycled materials.

4 There was an international dialogue on proper
5 management of discards in the new millennium, aka, a Zero
6 Waste Workshop, in San Francisco that we helped sponsor.
7 And I know Bill Orr put a lot into trying to help make
8 that conference effective. Mark Leary attended it, along
9 with a number of our other staff. And I certainly got a
10 lot out of that.

11 The NRC Conference has already been mentioned.
12 Board Member Mulé chaired a panel on conversion
13 technology. You did a great job chairing that panel.

14 The Edgar brothers were very active last month.
15 I went with Sean Edgar on a tour of the West Contra Costa
16 Landfills, the Richmond Sanitary Landfill, the West County
17 Resource Recovery Facility, as well as the Solano County
18 Patrero Hill Facility.

19 And then, finally, I attended the Heroes
20 Elementary School dedication or groundbraking and toured
21 the Madison Materials facility.

22 And after all that, I slept a night or two.

23 CHAIRPERSON MARIN: Well, that was good. Thank
24 you so very much, Mr. Papanian.

25 Mr. Washington.

1 BOARD MEMBER WASHINGTON: Thank you, Madam Chair.

2 I had the opportunity to speak at the SWANA's MOLO
3 Training Conference in Whittier. That's the managers of
4 the landfill operations, which was an excellent
5 opportunity to see a roomful of operation managers who
6 operate landfills doing an excellent job and really want
7 to know what this Board is looking for and how they can
8 make sure they're doing the right things by taking care of
9 the landfills in the state of California. So I really had
10 a great opportunity to meet some good folks.

11 And then I had a chance to visit the Madison
12 Materials site in Santa Ana, a site that has done an
13 excellent job. And I'm certainly proud of facilities like
14 that who really go out of their way to make sure that they
15 protect the health and safety of people in California.
16 And in Santa Ana, they have done an excellent job in
17 making sure that people are taking care of, as well as
18 making sure they do their job with the materials they
19 receive in their site. So I had an opportunity to visit
20 with them.

21 And then, Madam Chair, I had the chance to visit
22 the Tracy tire fire site. And kudos go out to all those
23 guys who worked hard at cleaning that place up. I tell
24 you, from what I saw before, to see it now, I can't
25 believe how they have come through and really cleaned up

1 Tracy and that area down there. And, again, they've done
2 an excellent job at doing so.

3 And with that Madam Chair, I have a presentation
4 I would like to make. As you know, I go to the
5 Legislature and try to recognize one of the staff members
6 at the Integrated Waste Management Board. I believe that
7 this is the hardest working staff in the state of
8 California. And to show my appreciation as a former
9 member of the Legislature, I normally go over and ask my
10 colleagues in the Legislature to recognize a staff member
11 over here who is doing an excellent job. We call them the
12 unsung heroes. And, today, we have an unsung hero I would
13 like to honor.

14 And let me just tell you a little bit about this
15 person. Besides her work here at the Board from 1998 and
16 all that she's done for the California Integrated Waste
17 Board, she's a very active person in the community. She
18 volunteers countless hours for the March of Dimes. She
19 does cleanup programs and projects with her daughter's
20 preschool, the elementary secondary school. And I can
21 imagine so, but I can see her over there making sure our
22 schools are doing the right thing. She's an active member
23 of the Sacramento Press Club. She's a State Information
24 Officer's Council. She's with the Christ United Church.
25 I mean, just doing an excellent job out there. And for

1 all of her hard work and all that she do for us as Board
2 members and making sure that we get to our events and
3 things work out for us, I would like to honor today Roni
4 Java. And I'll ask Roni to come forward.

5 (Applause)

6 MS. JAVA: I'm supposed to be down there.

7 BOARD MEMBER WASHINGTON: The press people are
8 always surprised when stuff happens for them.

9 Roni, on behalf of the State of California, on
10 behalf of my former colleagues in the Legislature, your
11 Assemblymen Alan Nakanishi, we have a resolution that we'd
12 like to present to you for all the hard work you do. And
13 I personally am grateful. You make me look so good out
14 there.

15 CHAIRPERSON MARIN: Now we know why.

16 BOARD MEMBER WASHINGTON: For all that you do for
17 us, Roni, we would just like to say on behalf of my
18 colleagues on the Board, we just want to let you know that
19 we are grateful for your hard work. This is a Resolution
20 that will go down in the history of California as your
21 Resolution Number 2852 presented today by my friend and
22 your Assemblyman and on behalf of our Board,
23 congratulations. And God bless you for a job well done.

24 MS. JAVA: Okay. You really got me. Carl, I
25 can't thank you -- I know you cooked this up. Thank you.

1 I cannot thank you.

2 Everyone here, it's been my great honor and my
3 privilege to serve you and to work with you and to help
4 you do your jobs to the best of your ability. That's what
5 I consider the best of my ability. Thank you very much.

6 (Applause)

7 BOARD MEMBER WASHINGTON: That's yours.

8 That concludes my report, Madam Chair.

9 CHAIRPERSON MARIN: That was a very nice report,
10 Mr. Washington.

11 Okay. We are now going to go into all the
12 reports.

13 Mr. Leary.

14 EXECUTIVE DIRECTOR LEARY: Thank you, Madam
15 Chair.

16 CHAIRPERSON MARIN: I forgot. I just need to
17 give my little report. I did do a couple of things during
18 this year -- during this last month.

19 BOARD MEMBER WASHINGTON: Besides campaign for
20 Chair, what else did you do?

21 BOARD MEMBER PAPARIAN: There's a reason for the
22 gavel.

23 CHAIRPERSON MARIN: I will rule you out of order.
24 But I'm not going to do that.

25 Well, actually, I will just state that along with

1 some of my colleagues here, I attended the events that
2 they have already described. We went to Madison Materials
3 with Rosalie. Went to Heritage Plastics in Rancho
4 Cucamonga, and the California Cement Plant, the Portland
5 Cement, and BAS Recycling Facility. We also visited the
6 Greenman in Azusa. And I attended an event with Secretary
7 Terry Tamminen, "Flex Your Power at the Pump," in Costa
8 Mesa.

9 In Napa, we went and visited the CRRC general
10 membership meeting and toured the composting facility,
11 thanks to Evan. Thank you so much.

12 I also visited the Tracy tire site with Rosalie.
13 And what was amazing to me, it's an incredible amount of
14 work that has taken place there to clean it up. And it is
15 incredible the amount of resources, energy, time, and
16 effort and money that has gone into cleaning something
17 like that.

18 I think that the site visit would make me fully,
19 not just cognizant, but determined as to prevent something
20 like that from happening ever again. While it is
21 incredibly important to clean it up, it is far more
22 important to prevent it. So we must ensure that we do not
23 have a tire fire like that anymore. And we ought to do
24 everything we can to ensure that that doesn't happen. So
25 I think it furthered my resolve along with yours and

1 everybody that has gone there, this cannot happen. It
2 should never happen.

3 And then I attended the Heroes Elementary School
4 with Linda and Mike.

5 And I also attended the League of California
6 Cities. I specifically attended the Latino Caucus of the
7 League. And you were absolutely right. You know, it's
8 amazing how we must -- because council members change
9 every two years, the great work that this Board has done
10 educating many of the council members from the past, as
11 new council members and members are elected, that work
12 needs to continue. So we will work hand in hand with the
13 League to ensure that everybody knows the programs that we
14 have, how we can support their efforts, and special
15 educating the new council members. So Rosalie will make
16 sure that we follow up on that.

17 With that, Mr. Leary, now it's your turn.

18 EXECUTIVE DIRECTOR LEARY: Thank you, Madam
19 Chair. Good morning, again. Just real briefly I have a
20 couple items.

21 First of all, I want to thank some folks who were
22 responsible for this morning's festivities. The event was
23 largely orchestrated by Julie Nauman and Jon Myers. They
24 put that together, and their staff, Roni Java, who's
25 already been recognized a little bit this morning, Chris

1 Peck, Bill Albert, Deb Balluch of Julie's staff. And, of
2 course, Selma is always there from Cheryl's office to help
3 us out. So I want to pass on those thanks in helping us
4 put that fairly successful event together.

5 One business item, Madam Chair. And I know it's
6 of interest to you and your very immediate predecessor.
7 And that is, of course, the Aggregate Recycling System
8 site in Huntington Park, otherwise known as La Montaa.
9 Last week we submitted additional cost information
10 requested by the court-appointed receiver in the city of
11 Huntington Park.

12 At this point, we've basically provided all the
13 information the receiver needs from us to proceed with the
14 final authorization of the project. We are waiting for a
15 court date to be filed by the receiver to grant that final
16 authorization. Staff anticipates we'll have that date
17 later this week. And that based on the range of potential
18 court proceedings, that may occur in about two to six
19 weeks.

20 Assuming that the authorization is granted, staff
21 would then conduct a public meeting, proceeded by a
22 ten-day public notice. Equipment mobilization and project
23 startup will occur shortly thereafter.

24 Total cost estimates remain at about 2.1 million,
25 which is kind of the low end of our initial estimates.

1 This project is expected to take and be completed within
2 60 working days. We'll continue to update you on the
3 project as we get clarity on schedule and new information
4 becomes available.

5 On the personnel side, it's another kind of
6 momentous occasion this morning. It's with great pleasure
7 I'd like to announce the appointment of Joanne Vorhies as
8 our Assistant Director with the Office of Education and
9 the Environment. We've had a fairly rigorous candidate
10 pool, very strong candidate pool, and Joanne emerged on
11 top. And we're very pleased to appoint her to the
12 position.

13 (Applause)

14 EXECUTIVE DIRECTOR LEARY: And then finally,
15 Madam Chair, in the name of agenda management, I'd like to
16 respectfully suggest that we trail Agenda Items 2 and 3
17 until later in the day since we've had some very patient
18 stakeholders who would probably like us to get about our
19 Board business.

20 Also, Agenda Item 3, you may notice the absence
21 of our Leg. Director. Carroll has had -- I don't think I'm
22 destroying any confidentiality. She had a little personal
23 accident. She may be wandering in in crutches here later
24 today or tomorrow. She's at the hospital getting X-rayed.
25 She dropped something heavy on her foot, poor woman. If

1 she's not here to do Agenda Item 3, but maybe later today
2 or tomorrow, if she can't do it, then I will or one of the
3 staff will.

4 CHAIRPERSON MARIN: Okay. Sounds good.

5 With that, we will move on to the consent agenda.
6 And for your information, we will have -- items on the
7 consent calendar are Item Number 4, Number 5, Number 10,
8 11, 12, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
9 28, 29, 30, 31, 32, and 33. Oh, I'm sorry. 14 was
10 Committee only. So pull that out. I'm sorry about that.

11 Is there a motion?

12 BOARD MEMBER PAPARIAN: Madam Chair.

13 CHAIRPERSON MARIN: Yes.

14 BOARD MEMBER PAPARIAN: I'd like to pull one item
15 from the consent agenda, and that's Item 11.

16 CHAIRPERSON MARIN: Okay. Item 11.

17 BOARD MEMBER WASHINGTON: Madam Chair, I'd like
18 to move the remainder of the consent calendar.

19 CHAIRPERSON MARIN: Okay. It has been moved.

20 Is there a second?

21 BOARD MEMBER MULÉ: Second.

22 CHAIRPERSON MARIN: Okay. I have been informed
23 that Item Number 4 and Number 5 have had revised
24 resolutions. I presume everybody has that and is agreed
25 with that. Just for the record, just want to make sure

1 that we all clarify that.

2 Okay. It's been moved by Board Member
3 Washington, and seconded by Ms. Mulé, the consent items.
4 The only one that's been pulled is Item 11.

5 Call the roll, please.

6 EXECUTIVE ASSISTANT JIMENEZ: Mulé?

7 BOARD MEMBER MULÉ: Aye.

8 EXECUTIVE ASSISTANT JIMENEZ: Paparian?

9 BOARD MEMBER PAPARIAN: Aye.

10 EXECUTIVE ASSISTANT JIMENEZ: Peace?

11 BOARD MEMBER PEACE: Aye.

12 EXECUTIVE ASSISTANT JIMENEZ: Washington?

13 BOARD MEMBER WASHINGTON: Aye.

14 EXECUTIVE ASSISTANT JIMENEZ: Moulton-Patterson?

15 BOARD MEMBER MOULTON-PATTERSON: Aye.

16 EXECUTIVE ASSISTANT JIMENEZ: And Marin?

17 CHAIRPERSON MARIN: Aye.

18 The next item is Item Number 6 that was
19 recommended for fiscal consent. Who will present that?

20 DEPUTY DIRECTOR LEVENSON: Madam Chair, Howard
21 Levenson with Permitting and Enforcement Division. Let me
22 be the first of the deputies to congratulate you on being
23 elected Chair and to thank Ms. Moulton-Patterson for all
24 the leadership you've provided. We all appreciate it.

25 CHAIRPERSON MARIN: Thank you.

1 DEPUTY DIRECTOR LEVENSON: Just got that by luck.

2 First in the slot.

3 Item Number 6 is Consideration of the Grant
4 Awards for the Farm and Ranch Solid Waste Cleanup and
5 Abatement Grant Program. There will be a very brief
6 presentation by Scott Walker, Branch Manager.

7 CHAIRPERSON MARIN: Thank you.

8 BRANCH MANAGER WALKER: Thank you. Scott Walker,
9 Permitting and Enforcement Division.

10 I'm presenting this item for Carla Repucci who
11 did the work for this item and deserves the credit for
12 this program.

13 We received five applications for Farm and Ranch
14 Solid Waste Cleanup and Abatement Grants this quarter.
15 The five applicants include Lake County and the following
16 Resource Conservation Districts: Excelsior Kings,
17 Pond-Shafter-Wasco, Yolo County, and Tulare County. The
18 total funds requested are \$237,397. I'd just like to add
19 that with the total allocation this year, we're on really
20 good track to fully utilize the funds. It's a little over
21 a quarter of the funds, and this is the first quarter.

22 So in conclusion, I'd like to recommend the Board
23 adopt Resolution 2004-242, approving Farm and Ranch
24 Grants. I would be happy to answer any questions and also
25 add that this item was fiscal consensus in the Committee.

1 CHAIRPERSON MARIN: Thank you so very much.

2 Do I have motion?

3 BOARD MEMBER PAPARIAN: Madam Chair, I'll move
4 adoption of Resolution 2004-242.

5 BOARD MEMBER WASHINGTON: Second.

6 CHAIRPERSON MARIN: Moved by Paparian, seconded
7 by Washington. Without objection, we'll substitute the
8 vote.

9 Next -- oh, you know, I forgot. There was a
10 gentleman that wanted to speak on Item 18, Gerard Kapusuk.
11 We've also voted for your item, as you know. It's been
12 approved. But go ahead, please make your comments.

13 MR. KAPUSUK: Thank you, Madam Chair.
14 Congratulations on your election, and congratulations,
15 Chairman Linda Moulton-Patterson.

16 My name is Gerard Kapusuk. I'm with the Ventura
17 County Environmental Energy Resources Department speaking
18 on behalf of the item you've already approved, and thank
19 you very much. That is, of course, the biennial report
20 review for the unincorporated portions of Ventura County
21 for the years 2001 and 2002.

22 I'm pleased to indicate in the item that you just
23 approved that we were able to increase our diversion from
24 54 percent in our base year 2000. The new base year we
25 completed to 58 percent in each of those respective

1 two years.

2 And I guess you're going to be very surprised to
3 have someone from local government say thank you very much
4 for working with us on doing a new base year. The reason
5 for that is that the Marines have a phrase that's called
6 ground truth. A new base year requires a jurisdiction to
7 go out into the community. It requires us to look at what
8 is really happening and to identify the successes, the
9 challenges, the opportunities on both the disposal and the
10 diversion side. We have done that very successfully in
11 the county of Ventura.

12 And for those that have argued it's a numbers
13 game, while it is important to understand that you can't
14 manage what you can't measure, that's only the beginning
15 point. And for us, it strengthened our resolve and
16 focused our efforts and provided us incentive and
17 important ground truth feedback on what was working and
18 what we could do.

19 Just to give you a brief highlight, because we're
20 only here every two years on this matter. Our focus in
21 Ventura County, the two biggest portions of our diversion
22 are organics and construction and debris materials,
23 representing 39 and 40 percent -- I'm sorry -- 29 and 40
24 percent respectively.

25 The diversion study that we did in 2000 allowed

1 us to focus on facilities in Ventura County that are
2 assisting us to help meet those goals. But, importantly,
3 where we can help them broaden and expand the business
4 sense of their operations, the performance sense of their
5 metrics, and their engagement to help Ventura County and
6 its eleven jurisdictions meet appropriate requirements.

7 Someone once said that you do not get a pearl
8 without irritating the oyster. And perhaps from local
9 government's point of view, diversion measurement and a
10 bit of diversion new base year studies is irritating that
11 local oyster, but we have pearls. They are there if we
12 work to find them. They are there if we work to uncover
13 them to bring them out and to polish them. I just want to
14 thank you and your staff for that excellent assistance.

15 In general, what our county is going to be
16 focusing on over the next two years before we appear
17 before you are, of course, the two target streams of
18 construction and demolition and organics. We are focusing
19 on tires. We are having our upcoming Tire Amnesty Day
20 because of the beneficence of one of your grants over the
21 next six months. And we are going to be looking at that.

22 We're looking to take our Reuse Program, which is
23 highly successful, in part because of the assistance you
24 have given us through Sarah Weimer's excellent group, and
25 create a new reuse portal. Ventura County has the

1 distinction, according to USA, of having the highest per
2 capita computer usage in the world. And we find it on our
3 website. On our website we have 4,000 or so downloads a
4 month of documents. Imagine the cost and time it would
5 take if we had to answer all those calls. Technology is
6 an important leveraging tool and an important engagement
7 tool as constituencies become more and more computer
8 literate.

9 And most importantly, we are focusing on what we
10 like to call beyond compliance. That is the biomass
11 portion. That is the conversion technology portion. In
12 Ventura County with agriculture being our largest
13 industry, we are focusing on a groundbreaking summit next
14 month, which I think you all received invitations and hope
15 you will consider, linking our agricultural community with
16 waste as a resource.

17 You know, you have a slogan of zero waste.
18 Perhaps let me offer you a counter. Perhaps it should be
19 100 percent resources. We don't have time to have waste
20 anymore. Everything that is identified in that stream has
21 a potential of being a resource. And we are trying to
22 work with our local agricultural stakeholders to develop
23 that. It's important to Ventura County. It's important
24 to the environment. It's important to national security
25 to create biorenewable resources from our local home grown

1 crops and to move agriculture beyond food crops to feed
2 stocks.

3 I hope you all have a chance to come down to
4 Ventura County for our summit next month. We'd like to
5 continue to broaden and deepen our partnership with you.
6 And I'd like to associate myself with all the remarks
7 about the extraordinary pool of talent that you have in
8 this agency. They have been indispensable partners with
9 us. They have often been the instruments of irritating
10 the oyster. But hopefully working together we've been
11 able to create a pearl that we both can be proud of.
12 Thank you very much for the opportunity to speak to you.

13 CHAIRPERSON MARIN: Thank you for making the
14 trip. Wonderful.

15 Item Number 7 was for Committee only. So that
16 takes us to Special Waste, Item Number 8. Madam
17 Chairwoman of the Committee, will please give us your
18 report on your Committee?

19 BOARD MEMBER PEACE: Okay. Just a little report.

20 Before I start, as a member of the Education and
21 Public Outreach Committee, I'd also like to congratulate
22 Joanne on her appointment. She's already been doing an
23 incredible job. And I just can't think of anyone else who
24 could do better. Congratulations.

25 I have just a little short update on Special

1 Waste. But before that, I want to remind everyone of the
2 upcoming Five-Year Plan Workshops in Sacramento on
3 September 29th and then in Diamond Bar on October 27th.
4 And we do welcome your comments and ideas. There will
5 also be a RAC Technology Center Roundtable discussion in
6 Alhambra on September 30th.

7 My staff and my office are still working on
8 improving the manifest system. And just in case there is
9 any confusion, everyone should know that I still support a
10 participating role for the generators and the end use
11 facilities. There is a lot we can do to simplify this
12 program within the scope of SB 876. But if we need to
13 have discussion changed to make this program more
14 effective and practical, we do have the legislative
15 support to do so.

16 In Committee, we had some good discussions about
17 the Tire Grant Programs. While we decided to hold off on
18 major changes to the Commercialization and Enforcement
19 Grants until the Five-Year Plan revision, there were some
20 minor changes and minor program adjustments to the
21 Playground and Track Grants, which we'll hear about in
22 Item Number 9.

23 That concludes my report.

24 CHAIRPERSON MARIN: Thank you, Madam Chair. That
25 was a wonderful report.

1 And you have a presentation.

2 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

3 And, again, congratulations on your election. And good
4 morning, Board members.

5 I also, again, want to echo Howard's remarks to
6 our outgoing Chair, Ms. Linda Moulton-Patterson. Want to
7 thank you for your support of the Special Waste Division
8 and our staff. And also say from a personal standpoint, I
9 very much appreciated your reasoned judgment and the
10 stable leadership that you brought to this Board. So
11 thank you.

12 With that, I'll move into Board Item 9, which is
13 Consideration of Eligibility, Scoring Criteria, and
14 Evaluation Process for the Fiscal Year 2004-2005 Waste
15 Tire Playground Cover Grant Program.

16 CHAIRPERSON MARIN: I thought we were going to
17 deal with Number 8.

18 DEPUTY DIRECTOR LEE: I apologize, Madam Chair.
19 I thought we sent a note up earlier. That item has been
20 pulled. Basically, that was going to be an adoption of a
21 Negative Declaration and approval of minor waste tire
22 facility permit. It's come to our attention that the
23 grant applicant has withdrawn his application and there
24 may be a pending bankruptcy filing. So pursuing a permit
25 at this time would not be -- is not necessary.

1 CHAIRPERSON MARIN: Okay. Well, then go right
2 ahead with Number 9.

3 DEPUTY DIRECTOR LEE: Board Item 9 is
4 Consideration of the Eligibility, Scoring Criteria, and
5 Evaluation Process for the Fiscal Year 2004-2005 Waste
6 Tire Playground Cover Grant Program and Waste Tire Track
7 and Other Recreational Surfacing Grant Program.

8 I want to direct your attention to a revised copy
9 of the agenda item which was handed out this morning, and
10 it's labeled Revision 2, which I'll be discussing with you
11 this morning. Although staff is prepared to make a
12 comprehensive presentation, with the Board's permission,
13 we'll limit our discussion to the main issues of concerns
14 that were discussed at the Special Waste Committee and the
15 direction received from Committee members as is reflected
16 in this agenda item.

17 Number 1, one of the main issues brought up was
18 to revise the program criteria to give credit to
19 playground or track projects that were eligible for but
20 did not receive grant funding in the previous grant
21 cycles. Our response on that has been to revise Criteria
22 11.

23 Previously, Criteria 11 proposed five points for
24 applicants that had not received a grant in the two
25 previous grant cycles. Staff now proposes that only two

1 points be given to applicants that meet that criteria and
2 three points be given to grantees that were eligible but
3 did not receive a grant in the previous grant cycle. An
4 applicant meeting both criteria would get the full five
5 points. There's probably going to be one minor tweak to
6 this, which I'll have staff discuss at the conclusion of
7 my presentation.

8 The second major issue was to impose a cost per
9 tire cap. In order to encourage the most cost effective
10 utilization of grant dollars, Criteria 9 asked applicants
11 to determine the estimated cost per tire of their proposed
12 projects, a calculation derived by dividing the requested
13 grant funds by the tires or tire equivalents used in the
14 projects. Based on a sliding scale, applicants with a
15 lower cost per tire would receive more pointers than those
16 with the higher cost per tire.

17 Based on direction at the Special Waste Committee
18 meeting, this provision has been revised to include a \$15
19 cost per tire cap. Using last year's track and playground
20 cover grantees as an example, we recently sent you charts
21 which showed the impact this cap would have had on the
22 selected grantees. The most significant impact is that we
23 would have been undersubscribed in our Playground Grant
24 Program. That is, we would not have allocated all of the
25 money available for that particular program.

1 At this point I'd like to point out some of the
2 reasons for the wide disparity in cost per tire for the
3 various projects. Grant eligible costs can include site
4 preparation costs such as demolition, grading, drainage,
5 curbing, and administrative costs, such as bid
6 advertising, public outreach, and personnel.

7 The number of tires utilized is dependent on the
8 size of the track, the number of lanes, for example. In
9 other words, in the cost per tire calculation, there are a
10 number of variables in both of the numerator, cost factor,
11 and in the tire count, denominator, portion of the
12 equation.

13 I would also like to reiterate staff's position
14 on this matter. We unequivocally support the concept of
15 cost per tire criteria. It is consistent with staff's
16 objectives to focus the Board's attention on what are less
17 cost effective projects in comparison to RAC and civil
18 engineering projects, as an example, and to set the stage
19 for the potential refocusing of the Five-Year Plan
20 revision to address these higher -- or these more cost
21 effective programs. However, staff is considerably more
22 ambivalent about the imposition of a cap because of the
23 number of variables involved. But, of course, you know,
24 we'll accept and implement the Board's direction on this
25 matter.

1 The third issue that came up was with regards to
2 the issue of charter school grant eligibility. According
3 to the California Department of Education, a charter
4 school is a public school created or organized by a group
5 of teachers, parents, and community leaders, or a
6 community-based organization that is usually sponsored by
7 an existing local public School Board or County Board of
8 Education. Public charter schools may not charge tuition
9 and may not discriminate. In other words -- and in
10 accordance of the discussions with our Legal division, a
11 charter school meeting this above definition would be
12 eligible to apply for the Playground and Track Grants, and
13 no revision to our proposed criteria is necessary.

14 The fourth item is on the use of California waste
15 tires only. In response to this issue being raised by a
16 stakeholder, staff has included language and revision to
17 making explicit that projects which utilize waste tires
18 from sources outside of California are ineligible for
19 funding.

20 At this point, I'd like to ask Mitch Delmage of
21 my staff to step to the podium and kind of discuss some
22 last-minute minor tweaking of one of these items and bring
23 that to your attention.

24 WASTE TIRE DIVISION MANAGER DELMAGE: Mitch
25 Delmage, Special Waste Division.

1 On Criteria 11, since the Playground Cover Grant
2 Program was fully funded, they wouldn't have gotten the
3 opportunity to get a full five points. So we've broken it
4 out in Criteria 11 -- and we'll give you a copy once we've
5 voted on it -- the Waste Tire Playground Grant Program
6 will be able to receive a full five points if they've not
7 had a grant in the previous two cycles. The Waste Tire
8 Track and other Recreational Surfacing Grant Program will
9 be as it was proposed. They'll get three points for
10 having applied last year past, but not been able to get
11 funding. And two additional points if they've not had
12 funding for the previous two cycles. They'll be able to
13 get a full five points as well.

14 The other addition we made to the item itself was
15 under key issues and findings. We added the language,
16 "applications with a cost per tire estimate over \$15 will
17 not be considered for funding." Those will be considered
18 ineligible projects. Just so we make that clear. And
19 we'll again make it clear as we move through the process,
20 through the application, as well as the information that
21 we send out in the NOFA.

22 DEPUTY DIRECTOR LEE: Thank you, Mitch.

23 With that, this concludes staff's presentation.
24 We would ask that the Board -- we would recommend the
25 Board's approval of Resolution 2004-253.

1 CHAIRPERSON MARIN: Okay. First of all, are
2 there any questions regarding this item before I ask for a
3 motion?

4 This is not right. I guess, Mr. Paparian, you're
5 first, and then Mr. Washington and then Ms. Peace.

6 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

7 The \$15 figure, as I look at the information that
8 the staff gave us, if we cut it at \$15 and look at our
9 most recent cycle, we would have eliminated 23 out of 38
10 applicants, most of whom were in Southern California. I
11 don't know if there's a reason for that correlation. But
12 17 out of the 23 disqualified would have been from
13 Southern California. I'm wondering how -- I guess it came
14 up in Committee. How did the Committee come up with \$15?

15 BOARD MEMBER PEACE: When I was looking at the
16 \$15 range, if we put the cap at \$15, the tracks would
17 still be oversubscribed. The playgrounds would be
18 undersubscribed. But the feeling is our mission is to
19 create markets so that fewer tires are landfilled. So the
20 number of tires used and the cost effectiveness of that
21 utilization has to be a part of the scoring criteria. If
22 we leave it at \$15, this year tracks would still be
23 oversubscribed. We would still have more that would
24 qualify than we had funds for.

25 The playgrounds, because I guess they're less

1 cost effective, would be undersubscribed by about half.

2 But, you know, if we have that money left over, then next
3 year in the reallocation we can put that money towards
4 tracks, which is where we're getting a better bang for our
5 buck.

6 BOARD MEMBER PAPARIAN: Maybe somebody can help
7 me who's maybe -- because I don't know the answer to this.
8 The reason we do playgrounds and recreational surfacing,
9 is it simply for tire markets, or do we do it to help -- I
10 mean, is it in the legislation we're supposed to do this
11 kind of thing with schools or --

12 DEPUTY DIRECTOR LEE: Not explicitly. It is in
13 the legislation that we're supposed to encourage market
14 development. And, clearly, use of tires -- you know,
15 waste tires in these tracks is something that's
16 beneficial. However, you know, what we're attempting to
17 point out, at least through this process, is that they're
18 relatively expensive. It's a lot of grant dollars per
19 tire utilized. And you have to ask yourself at which
20 point should the Board's subsidy of that, you know, cease
21 to perhaps be directed to other higher priority uses.

22 BOARD MEMBER PAPARIAN: It's a tough one. It's a
23 very popular program I know with schools. And I think
24 community colleges and some others have utilized --

25 BOARD MEMBER PEACE: We'll be discussing that

1 more as we revise the Five-Year Plan. Just for next year,
2 we're putting the cap on 15. We have a lot of applicants
3 that would have easily met that \$15 cap.

4 BOARD MEMBER PAPARIAN: I'd like to hear the rest
5 of the discussion, but I might be inclined to put a little
6 more higher cap this year and then discuss it in the
7 Five-Year Plan.

8 CHAIRPERSON MARIN: I know there are -- Mr.
9 Washington, you wanted to say something about this as
10 well.

11 BOARD MEMBER WASHINGTON: Mr. Lee or whoever
12 wants to answer this question, in terms of the charter
13 school -- I want to take a second and talk about the
14 charter schools. I talked to you a little bit about
15 churches, and they have these day cares that they operate
16 at their church. And some are opening up charter schools
17 in their church, which is going through the local school
18 district. Can they apply for this grant? I read your
19 statement. I was trying to see if you had written it down
20 anywhere. But I just want to make sure I'm clear as to --
21 sounds like to me as long as they go through a local
22 school district that they can apply for the grant.

23 DEPUTY DIRECTOR LEE: I'd kind of like to ask our
24 legal people to kind of take a look at this. I think on
25 the issue -- well, let them address that, if they would.

1 CHIEF COUNSEL CARTER: Marie Carter, Chief
2 Counsel.

3 Charter schools -- public charter schools are
4 well defined, and your requirements are set forth in
5 statute. And so I would be happy to work with any school
6 that feels they come within that definition if there is
7 some question. But, generally, they can get that
8 information from the Office of Education.

9 BOARD MEMBER WASHINGTON: Okay. So is it your
10 determination that if a charter school that's through a
11 church goes through a school district, will they be
12 considered eligible for this grant?

13 CHIEF COUNSEL CARTER: There are several
14 requirements to make them eligible as a public charter
15 school. And based upon some of the characteristics that
16 you're describing, it sounds as though they might fulfill
17 all the requirements. But without knowing more, I
18 couldn't speculate.

19 BOARD MEMBER WASHINGTON: Thank you very much.

20 CHAIRPERSON MARIN: Okay. Are there -- so I am
21 hearing we need to raise a cap. I'm hearing we want to
22 make sure those charter schools that could qualify need
23 to -- cannot answer it specifically, but they will work
24 with each one if they feel that they belong there.

25 I think that the question that we have before us

1 is this cap. And as I understand, I know there was a
2 strong deliberation in the Committee about this particular
3 cap. The question is we are going to be going into a
4 Five-Year Plan. In the mean time, we need to make a
5 determination for this next cycle. As Chair, you're
6 recommending that we have the cap at 15. There are
7 questions as to if we do that, that there may be,
8 according to what we have seen in the past, quite a few
9 entities that would not have been funded should that cap
10 be in effect.

11 So the question before this Board is, do we
12 institute a cap which we did not have before for this one
13 cycle before we go through the Five Year cycle? Do we
14 keep it as is, or do we increase the cap, as suggested by
15 the Committee? That's the question before this Board, as
16 I understand it.

17 What is the pleasure of this Board?

18 Ms. Peace.

19 BOARD MEMBER PEACE: When we look at last year's
20 grantees, the chart is all over the place. We had some
21 playgrounds that were -- with the money we gave them and
22 the number of tires that they got rid of, it came out to
23 be about \$1.85 a tire. There's some that were \$12 a tire.
24 Some that were \$3 a tire. And then there were some that
25 were almost \$100 a tire.

1 All I'm saying is to be as cost effective and to
2 get rid of as many tires as possible with the money we
3 have available, I feel there needs to be a \$15 cap. Most
4 of these projects could fall under there. And if we know
5 that's what we're aiming for, I think that when they put
6 in their grant, they can be a little bit more cost
7 effective. They can cut down on their administrative
8 costs and things to get down under that \$15 a tire cap
9 that we're requiring. So I feel very strongly about this.

10 CHAIRPERSON MARIN: Clearly, and that is
11 something to consider. I know that we have -- it says
12 Marin here, but I think it's Mulé.

13 Ms. Mulé, why don't you go ahead.

14 BOARD MEMBER MULÉ: Thank you, Madam Chair.

15 I guess I'm having some of the same questions
16 that Board Member Paparian is having. And I did listen in
17 on the Special Waste Committee meeting. And so I do
18 wonder why we're having a \$15 cap. I mean, I
19 understand -- I think I understand partially where you're
20 coming from. But then I'm also wondering if it might not
21 be better to defer this to the biennial review process,
22 which I understand is starting this month. Is that
23 correct, Mr. Lee?

24 DEPUTY DIRECTOR LEE: That's correct, Ms. Mulé.

25 BOARD MEMBER MULÉ: Thank you.

1 BOARD MEMBER PEACE: I'm thinking when we do the
2 Five-Year revision, we might wipe this program out all
3 together. That's something we can consider.

4 But for right now with the program being so
5 oversubscribed, we had way more people wanting this money
6 than what we had money for, that the money should go to
7 the people who are going to be getting rid of the most
8 tires for the least amount of money.

9 CHAIRPERSON MARIN: Let me pitch in here. And
10 while I can appreciate the concerns of both sides, maybe
11 we can find a middle ground. I'm looking at all of the
12 projects that we have before us. And maybe either by the
13 number of tires diverted, maybe a cap of \$25 might be
14 something that we could consider. At that point in time
15 we would have the majority of the projects will go on.
16 But the ones that clearly are not -- you know, obviously
17 the one that only 259 tires were diverted, there must be
18 reasons why that is the case.

19 But it seems to me, as Ms. Peace has suggested,
20 maybe they can do a better job of administrative costs,
21 whatever they may be. But I can see your point.

22 So I'm offering a third alternative here where we
23 have a \$25 cost per tire maximum or a cap. It seems to me
24 that that would go very well with the number of tires
25 diverted.

1 Ms. Peace.

2 BOARD MEMBER PEACE: I appreciate the fact that
3 you're trying to find a compromise here. But I still feel
4 as strongly about the \$15 cap. Because even at \$15, last
5 year we would still be way oversubscribed on the tracks.
6 It's not like we're going to be not having enough
7 applicants for this money. The tracks are still over
8 subscribed. There were a lot of them that could get very
9 easily under that \$15 cap.

10 The playgrounds were a little bit different
11 situation. They would be a little undersubscribed on
12 that. But maybe next year if they know we had the \$15
13 cap, when they put in the grant, they'll be under that
14 \$15. They'll be a little more careful. They know that's
15 what we're looking for. If we're still undersubscribed,
16 I'm sure we'll have enough Track Grants we can reallocate
17 that money at the end of the year to be able to fund all
18 the tracks.

19 CHAIRPERSON MARIN: That's one argument.

20 Ms. Mulé.

21 BOARD MEMBER MULÉ: Thank you, Madam Chair.

22 I do have a technical question then for staff and
23 Legal. Is it my understanding that these applications
24 have already been submitted?

25 DEPUTY DIRECTOR LEE: Ms. Mulé, we provided this

1 information as way of an example for what would have
2 happened last year if we had the cap. So this is the
3 proposal to solicit applicants for this year. So this
4 information is just to kind of give you an example how it
5 would have happened if we had the same criteria in effect
6 for last year's grant award.

7 BOARD MEMBER MULÉ: So we have not received or
8 solicited applications for this year?

9 DEPUTY DIRECTOR LEE: That's the whole purpose of
10 this item is to set forth the criteria under which that
11 would occur.

12 BOARD MEMBER MULÉ: I called on Ms. Mulé when, in
13 fact, Ms. Patterson was the one -- we're going to fix this
14 by the next Board meeting.

15 BOARD MEMBER MOULTON-PATTERSON: We just haven't
16 changed this.

17 I just want to speak in favor of the cap. I
18 think, you know, to me the point is we've got -- I really
19 believe in these playground cover grants, and I think
20 schools tremendously appreciate them. I think they're
21 better for safety and so forth. And so I'm all for them.

22 But if we have other -- is my understanding
23 correct there are lots of people that want these and
24 apply? And so I would -- you know, I think it's shameful
25 that we spend \$25,000 to get rid of 259 tires at \$100 a

1 tire. We've got to stop that. And as long as they know
2 ahead that this is the criteria, I think it would work.

3 So, you know, I'm speaking for a cap. I'm open
4 to compromise. But, you know, I certainly think we need
5 to step up and do this. And I congratulate Ms. Peace for
6 bringing it out in this way, because I frankly had not
7 thought about it as much before. And you see these
8 figures, and you really realize there's a problem.

9 CHAIRPERSON MARIN: Thank you, Ms. Patterson.

10 Okay. I think I'm going to go -- who else wants
11 to speak here? Forget about this thing now. Can you
12 raise your hand?

13 Mr. Paparian.

14 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

15 And, again, just to be clear, I'm sympathetic
16 with the cap. I'm concerned about the drastic effect on
17 the Playground Grants this year before we have a chance to
18 look at it in the Five-Year tire plan. So I think \$25 is
19 a possibility that would get us to bringing some of the
20 higher-cost grants down in the Playground Cover Grants,
21 but allowing folks who are hoping to get these this year
22 to, you know, be successful in getting them. I think that
23 in looking at the \$15 range on the Playground Grants, we
24 would have lost -- 23 out of 38 applicants would not have
25 been able --

1 BOARD MEMBER PEACE: But that was this year when
2 they didn't know there was a cap. Hopefully, now they
3 know there's a cap that will be in the criteria and that's
4 what they'll strive for. It's very doable, as you can see
5 by the number that were under that \$15. This is very
6 doable.

7 If there aren't any more questions, I'd like to
8 move the item. Is that okay, Madam Chair?

9 CHAIRPERSON MARIN: You are welcome to do it.
10 Whether it passes or not is something else.

11 BOARD MEMBER PEACE: We can argue this to death.
12 But right now I'd like to move Resolution Number 2004-250.

13 Do I need to say revised?

14 CHIEF COUNSEL CARTER: Yes.

15 BOARD MEMBER PEACE: Revised, Consideration of
16 Eligibility, Scoring Criteria, and Evaluation Process for
17 the Fiscal Year 2004-2005 Waste Tire Playground Cover
18 Grant Program.

19 BOARD MEMBER PAPARIAN: I'll second.

20 CHAIRPERSON MARIN: Moved by Peace, seconded by
21 Paparian.

22 Call the roll, please.

23 EXECUTIVE ASSISTANT JIMENEZ: Mulé?

24 BOARD MEMBER MULÉ: Aye.

25 EXECUTIVE ASSISTANT JIMENEZ: Paparian?

1 BOARD MEMBER PAPARIAN: Skip over me for now.

2 EXECUTIVE ASSISTANT JIMENEZ: Peace?

3 BOARD MEMBER PEACE: Aye.

4 EXECUTIVE ASSISTANT JIMENEZ: Washington?

5 BOARD MEMBER WASHINGTON: Aye.

6 EXECUTIVE ASSISTANT JIMENEZ: Moulton-Patterson?

7 BOARD MEMBER MOULTON-PATTERSON: Aye.

8 EXECUTIVE ASSISTANT JIMENEZ: Marin?

9 CHAIRPERSON MARIN: Well, if this is the way it's
10 going to go, I certainly don't want to go against the
11 Chair of the Committee. But I was really hoping for a
12 compromise. But seems like you have the vote, so I'll
13 vote aye.

14 BOARD MEMBER PAPARIAN: Record me as aye also.

15 BOARD MEMBER PEACE: And then there's another
16 Resolution on the same item. I'd like to move Resolution
17 2004-253, Revised, Consideration of Eligibility, Scoring
18 Criteria, and Evaluation Process Fiscal Year 2004-2005
19 Waste Tire Track and other Recreational Surfacing Grant
20 Programs.

21 BOARD MEMBER MOULTON-PATTERSON: Second.

22 CHAIRPERSON MARIN: Moved by Peace, seconded by
23 Patterson.

24 Without objection, we will substitute the
25 previous roll call. Thank you.

1 Okay. We are going to take a break here, about
2 an hour and a half. Is that good? We want to have
3 everybody here. So we will reconvene at 1:40. Thank you.

4 (Thereupon a lunch recess was taken.)

5 CHAIRPERSON MARIN: We're going to go ahead and
6 start. I'm sure Ms. Paterson will be joining us briefly.

7 Will you call the roll, please.

8 EXECUTIVE ASSISTANT JIMENEZ: Mulé?

9 BOARD MEMBER MULÉ: Here.

10 EXECUTIVE ASSISTANT JIMENEZ: Paparian?

11 BOARD MEMBER PAPARIAN: Here.

12 EXECUTIVE ASSISTANT JIMENEZ: Peace?

13 BOARD MEMBER PEACE: Here.

14 EXECUTIVE ASSISTANT JIMENEZ: Washington?

15 BOARD MEMBER WASHINGTON: Here.

16 EXECUTIVE ASSISTANT JIMENEZ: Moulton-Patterson?

17 And Marin?

18 CHAIRPERSON MARIN: Here.

19 Okay. We do have more than a quorum. So we're
20 going to go back to our agenda. And this will be Item
21 Number 11. And Jim.

22 DEPUTY DIRECTOR LEE: Thank you, Madam Chair, and
23 good afternoon.

24 Item Number 11 is Consideration of Applicant
25 Eligibility and Program Criteria and Evaluation Process

1 for the Waste Tire Enforcement Grant Program for Fiscal
2 Year 2004-2005. This item was heard in the Special Waste
3 Committee and recommended for consent. However, there
4 were special issues that came up that I'll discuss with
5 you this afternoon. We have a few slides that I think
6 will kind of walk you through some of the main topics of
7 discussion.

8 Sue, do you have that?

9 Let me go ahead and talk through that. I
10 apologize for that technical glitch, Madam Chair.

11 CHAIRPERSON MARIN: You should know that we have
12 really technologically-advanced people here. You should
13 see my screen now. It was fixed immediately. But go
14 ahead.

15 (Thereupon an overhead presentation was
16 presented as follows.)

17 DEPUTY DIRECTOR LEE: One of the issues was with
18 regard to inspection frequency. Before I get into that,
19 let me discuss a little bit about what happened back in
20 July when we discussed this and other issues before the
21 Board, and the Board raised some issues with regards to
22 the cost effectiveness and efficiency of this particular
23 program and also, again, about the ongoing evaluation that
24 staff was conducting to make sure the program was
25 efficient as a program. The agenda item was written to

1 try to address some of those concerns directly.

2 However, with regards to this inspection
3 frequency, staff has proposed --- there we go. Thank you.
4 Staff had proposed, given that consideration, to kind of
5 limit the number of inspections that the grantees can
6 conduct. But in the discussion before the Special Waste
7 Committee, there was a concern raised again about being
8 able to allow some flexibility in that inspection number
9 cap.

10 So, again, what I wanted to bring to the Board's
11 attention today is that basically there is flexibility
12 within the budget categories, you know, to do more than
13 the three inspections, if necessary. And we can propose
14 to add language in the procedures and requirements of the
15 grants to inform the grantees, again, about the
16 flexibility which is available under the Grant Program as
17 it's presently proposed.

18 --o0o--

19 DEPUTY DIRECTOR LEE: The issue on the vehicle
20 purchasing, again, staff had been asked to kind of look
21 into the issue with regards to how grantees were utilizing
22 their ability to purchase vehicles in the program, to
23 determine if there's any kind of abuses that were taking
24 place, to see whether or not they were complying with DGS
25 requirements. They did this survey, included that

1 information in the agenda item.

2 Basically, it was our conclusion that, you know,
3 there had been no abuse in the program. But nevertheless,
4 there was that potential always. So we proposed again to
5 do away with the ability to purchase vehicles. However,
6 the Committee direction at the Special Waste Committee was
7 to allow vehicle purchasing under controlled
8 circumstances, particularly to make sure that we were able
9 to -- in the event a grantee dropped out of the program,
10 that we were able to, you know, basically reclaim that.
11 So we have discussed that with legal.

12 --o0o--

13 DEPUTY DIRECTOR LEE: It is possible for us,
14 again, to basically write the grant agreement such that we
15 get a security interest in the vehicles to address that
16 particular consideration.

17 Other ways again the Board might go about, again,
18 recouping its cost in the event that the grantee was --

19 --o0o--

20 DEPUTY DIRECTOR LEE: -- to leave the program,
21 again, if they're making monthly payments, you know, those
22 could be stopped.

23 And then kind of a last case, last resort
24 situation, we could seize the vehicle and sell it at
25 public auction. Although, clearly, that would be our

1 least favorable option to be implemented.

2 After a specified time period, we would release
3 the security interest in the vehicle back to the grantee.

4 --o0o--

5 DEPUTY DIRECTOR LEE: Other vehicle
6 considerations. Again, we were asked again about the
7 grantees' compliance with Department of General Services'
8 requirements. This has to do with, you know, current
9 requirements that are imposed by state agencies, again, to
10 purchase low-emission vehicles. And there's some other
11 requirements that go along with that.

12 What we found again is that only a couple of the
13 current grantees are complying with that at the present
14 time. But there are some considerations at the local
15 level, you know, that could make it more difficult, you
16 know, to implement that requirement. I think this is one
17 of the requirements where I think that staff is neutral or
18 ambivalent with regards. I think certainly it makes sense
19 that we have the requirements in both the state agency and
20 certainly at the local level. At least in concept that
21 should be a consideration. I am sensitive to some of the
22 potential concerns that the locals may raise with regards
23 to this.

24 So, again, I think this is basically -- I'm going
25 to ask Holly Armstrong from the Legal Office to also

1 render a legal opinion in this regard. But I think from
2 Program staff's position, we are ambivalent about this.
3 So, Holly, if you're --

4 CHAIRPERSON MARIN: Holly.

5 MS. ARMSTRONG: Holly Armstrong from the Legal
6 Office.

7 First of all, I think you all have a copy of
8 Management Memo 04-20. This sets forth the state's
9 vehicle purchase and lease policy with regard to the
10 state's fleet and fleet contract. But beyond what's in
11 the Management Memo to apply the DGS requirements to the
12 locals, first of all, the DGS requirements right now are
13 not applicable to the locals -- local jurisdictions. And
14 the DGS requirements go far beyond what's in the
15 Management Memo. They include competitive bidding
16 requirements, which makes sense when you're talking about
17 the state's fleet contract where they're buying thousands
18 of cars, but may not make sense when you're talking about
19 one vehicle. They also include DVBE requirements and
20 things of that nature.

21 And talking about the Management Memo, it
22 basically breaks down into three requirements. The first
23 one requires that 75 percent of the state's light duty
24 vehicle purchases be alternative fuel vehicles.

25 The second requirement is that all gasoline

1 powered light-duty sedans purchased or leased by state
2 offices, agencies, and departments be at a minimum
3 certified to the Air Resources Board's LEV-II ultra low
4 emission vehicle standards. Light duty pickups, sedans,
5 and sport utility vehicles must be at a minimum certified
6 to the ARB's LEV-I ultra low emission vehicle standards or
7 equivalent. And this category would include hybrid
8 vehicles.

9 The third category basically requires any state
10 agency who wants to purchase a sport utility vehicle or a
11 four-wheel drive truck to first obtain authorization. And
12 they have to justify that it performs -- would fulfill an
13 essential function.

14 And so what we would recommend if you want to
15 apply these standards is that we in the Legal Office take
16 these requirements in the Management Memo and adapt them
17 for the local jurisdiction and put them into the
18 procedures and requirements and require -- tell them that
19 prior approval is required by the grant manager and that
20 these are the guidelines that would be followed in making
21 that determination.

22 There are a couple of issues that I think have
23 been addressed before. There are certain circumstances --
24 first of all, there are certain circumstances in which a
25 grantee might not be able to fulfill these requirements

1 because of financial constraints within the grant. Also,
2 most local jurisdictions have their own purchasing
3 programs. And imposing these requirements on them may
4 conflict with their purchasing programs. And so that is
5 an issue to consider.

6 I also spent a little bit of time just over the
7 lunch hour and looked at the website -- the Air Resources
8 Board's website and looked at some of the low emissions --
9 ultra low emissions vehicles that are available and that
10 would be available under the second requirement. And I
11 will say right now I don't know cars. So this is totally
12 with a caveat. But most of the vehicles that are
13 available look to me, as a total car novas, to be in the
14 rather expensive category. And so because of the
15 constraints on these grantees, it may be difficult for
16 them under the constraints of this program to meet this
17 requirement.

18 And so we may essentially be setting up a legal
19 impossibility by even building this into the program. And
20 it might -- and a better alternative if you want to impose
21 this, and it's going to be impossible under the program,
22 might just be to say they can't even purchase vehicles if
23 it's going to be impossible for them to do so.

24 DEPUTY DIRECTOR LEE: Thank you.

25 CHIEF COUNSEL CARTER: Excuse me. There is one

1 other issue we wanted to bring up.

2 If the Board decides that it wants to incorporate
3 the policies identified in the Management Memo, we could
4 include in the grant agreement a provision that if there
5 are exceptional reasons for which the grantee feels should
6 exempt them from these requirements, such as it's contrary
7 to their bidding requirements, or maybe the cost is
8 prohibited considering their budget, that would be an
9 alternative.

10 CHAIRPERSON MARIN: Okay. Anything further?

11 DEPUTY DIRECTOR LEE: One other issue I want to
12 discuss with you, and then we want to receive the Board's
13 direction on that particular issue and the others.

14 The last main issue I want to discuss this
15 afternoon was the oversubscription criteria. Staff had
16 proposed -- again, one of the concerns was brought to our
17 attention back in July, again, as to how we're going to
18 address gaps, you know, spread -- make sure there's
19 coverage throughout the state to the extent possible, make
20 sure we're concentrating on the highest priority areas.

21 What we had proposed in the event that we are
22 over subscribed, that we propose to provide an objective
23 standard -- say if we're over subscribed 50 percent, all
24 of the budgets of the eligible applicants would be reduced
25 by 50 percent. There was discussion in the --

1 --o0o--

2 DEPUTY DIRECTOR LEE: -- Special Waste Committee
3 that we needed to be more selective and subjective with
4 regards to that, use our discretion with regards to
5 looking at where the tire problems in the state might be,
6 you know, where -- and make recommendations, you know, to
7 the Board based on those considerations. So rather than
8 the straight proportional cuts, we now want to propose for
9 the Board's consideration criteria that staff would
10 utilize to --

11 --o0o--

12 DEPUTY DIRECTOR LEE: -- kind of make its cut in
13 the event that becomes necessary. We would use things
14 like the demonstrated need, the use of previously
15 requested grant funds, known public health and safety or
16 environmental threats. We think this will address -- at
17 least it's our staff's belief this will address the
18 concern that was brought up at the Special Waste Committee
19 meeting. It's not necessarily an objective as the
20 proportional standard, but we think it will go a long way
21 to address the concern that was raised.

22 --o0o--

23 DEPUTY DIRECTOR LEE: So we would be pleased to
24 implement either set of criteria at the Board's direction.
25 Those are the only issues I wanted to bring to

1 the Board's attention. That concludes staff's
2 presentation.

3 CHAIRPERSON MARIN: Thank you, Mr. Lee.

4 Okay. Let's see. Mr. Paparian.

5 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

6 I want to talk about this DGS requirement. The
7 way this DGS requirement came about for state vehicles,
8 there are certain vehicles the state is allowed to
9 purchase for itself. I believe the Management Memo was
10 put out in part of that direction under the Governor's
11 environmental policy for the state to do what it can from
12 an air quality perspective and from an environmental
13 perspective.

14 My concern is that we don't want to be in a
15 situation -- an embarrassing situation where we would use
16 state funds to allow the purchase of vehicles that the
17 state itself couldn't purchase. I understand the issues
18 that Ms. Armstrong brought up about applying this policy
19 verbatim to the locals. There are some issues and
20 concerns there. But I think Marie Carter has given us a
21 pathway that would, you know, allow the locals some
22 flexibility, but allow us some oversight over any vehicle
23 purchases.

24 And as I understand it, basically what it would
25 be would be to provide guidance to the locals based on

1 this Management Memo, guidance about the types of vehicles
2 they ought to purchase if they purchase with these state
3 funds. But then they would have to get prior approval
4 from us before moving forward. And if they wanted to do
5 something that deviated from these requirements, they'd
6 have to provide some justification to our grant managers.
7 And our grant managers would have to review that before
8 okaying it.

9 I think that's just a little check in the system.
10 It encourages consistency with the DGS requirements, but
11 allows the flexibility if there are local conditions that
12 would require somebody to buy something that didn't
13 conform to the policy.

14 CHAIRPERSON MARIN: Okay, Mr. Paparian.

15 I have to ask a couple of questions, because my
16 concern is -- and I know this has been out there. I don't
17 know whether the League of California Cities participated
18 in the discussion of this particular item. I don't know
19 if they did. I know that it's a public document. They
20 could have.

21 But I understand what you were saying,
22 Mr. Paparian. But I'm looking at the reasons why this
23 would be placing an undue burden to some local
24 jurisdictions. And while I most appreciate what we're
25 attempting to do and the goal of this, it seems to me that

1 by having them to justify -- to further justify, we're
2 giving them one more reason why they shouldn't even
3 participate in this. We're putting the onus on them
4 completely and totally.

5 If I may, I would really -- and I don't know
6 whether we got any comments from the League of Cities or
7 any other --

8 DEPUTY DIRECTOR LEE: Not to my knowledge,
9 Ms. Marin.

10 CHAIRPERSON MARIN: Did we seek it at all?

11 DEPUTY DIRECTOR LEE: We didn't make any explicit
12 outreach.

13 CHAIRPERSON MARIN: If I may, Madam Chair, unless
14 there is a specific reason why we need to vote on this, I
15 would certainly love to have the feedback from the League
16 of California Cities. If we can get it by tomorrow, that
17 will be fine. If not, unless there is a requirement that
18 we must vote on this this month, can we postpone it to the
19 next month?

20 DEPUTY DIRECTOR LEE: I think if we can postpone
21 it until tomorrow and solicit their opinion. The thing is
22 that we need to roll the -- get the program out on the
23 street.

24 CHAIRPERSON MARIN: I understand.

25 DEPUTY DIRECTOR LEE: So the timing is very

1 short. So if at all possible, I prefer not to have to
2 postpone this to next month. I think we can probably
3 safely say that -- well, I don't want to put words in
4 their mouth. We'll seek the endorsement -- seek the
5 opinion of the SSAC.

6 CHAIRPERSON MARIN: I would very much appreciate
7 that, unless someone else feels very strongly about that.
8 Chair of the Committee.

9 BOARD MEMBER PEACE: That sounds okay with me to
10 get their opinion. We don't want to put any undue burden
11 on them, because we want to encourage these grants as much
12 as possible.

13 So you know, but we do need to move ahead, like
14 Mr. Lee said. So if we can get their opinion on this and
15 make sure that we do hear this tomorrow.

16 DEPUTY DIRECTOR LEE: Understand.

17 CHAIRPERSON MARIN: Ms. Mulé.

18 BOARD MEMBER MULÉ: Thank you, Madam Chair.

19 I was just wondering if maybe rather than
20 requiring these LEAs to purchase -- to utilize the DGS
21 policy, if we can somehow write in in the evaluation
22 criteria to encourage, you know, rather than require. I
23 agree with --

24 BOARD MEMBER PEACE: Encourage to the fullest
25 extent possible.

1 BOARD MEMBER MULÉ: Rather than require. Because
2 as Chairwoman Marin is saying, that's one more thing that
3 the LEAs have to look at. And I know from personal
4 communication with one LEA, I mean, they won't even go
5 after this grant, because they said it's not worth the
6 time and effort that they have to put into it to get the
7 money. It's not worth the money, is what they told me.

8 So, anyway, I think as far as the policy goes, to
9 use the word "encourage" rather than "require" is all I'm
10 saying. Thank you.

11 CHAIRPERSON MARIN: Is there any objection to
12 that?

13 BOARD MEMBER PEACE: If there's not any objection
14 from you, do we just want to change that now? Can we do
15 that now and say we're going to encourage to the fullest
16 extent possible the use of these alternative fueled
17 vehicles. Because I don't think the League of Cities
18 would have any objection to that, would they?

19 DEPUTY DIRECTOR LEE: I don't want to put words
20 in their mouth, Ms. Peace. Like I said, I'm sure Ms. Mul
21 is right, like I say. The local grantees -- the history
22 of this program is we started off with the competitive
23 grant program. Didn't get any takers because they thought
24 the program's requirements were too onerous. We went to
25 noncompetitive and are slowly starting to build up a base

1 of people that are involved with us in this particular
2 program.

3 You know, obviously, each additional requirement
4 we impose shifts the pendulum back. Clearly, I'm sure
5 they have -- more than likely would have some objections
6 to additional requirements, but I don't know. If you're
7 asking me for my preference, I would prefer that we
8 have -- staff has some flexibility and use the word
9 "encourage" as opposed to mandate. But that would -- I'm
10 not sure that we're going to get any more definitive
11 direction from the California League of Cities on this.

12 BOARD MEMBER PEACE: I think that's what I would
13 like to do. Whatever you have in the grant talking about
14 the vehicles, that in there you put we encourage to the
15 fullest extent possible use of alternative fueled
16 vehicles.

17 CHAIRPERSON MARIN: Would that be in lieu of
18 getting input from the League?

19 BOARD MEMBER PEACE: Yeah.

20 CHAIRPERSON MARIN: In lieu of that.

21 BOARD MEMBER PEACE: In lieu of that, just
22 putting in that language and go ahead and vote on this
23 today.

24 CHAIRPERSON MARIN: Let me just say, I would be a
25 little bit reluctant. Although, I appreciate that is

1 something that I would -- if the vote was going to be
2 taken today, I would vote for that. I would ask for the
3 indulgence of the Board to ensure that is something that
4 they would agree with.

5 Mr. Paparian, I know you want to say something.

6 BOARD MEMBER PAPARIAN: Now, under the grants,
7 they can spend up to 20 percent, is it, on vehicles and
8 equipment?

9 DEPUTY DIRECTOR LEE: Let me turn to my staff on
10 that.

11 SUPERVISOR TURNER: For the record, I'm
12 Georgianne Turner.

13 Yes. It's 20 percent and not to exceed \$25,000,
14 for a vehicle.

15 BOARD MEMBER PAPARIAN: So we have some grantees
16 who are getting -- I mean, some grantees, I mean, they do
17 have enough money in their grants to buy one or more
18 vehicles. Would it be comfortable with the rest of us if
19 we're going to allow the purchase of a vehicle if we had
20 to sign off on the purchase of a vehicle using our state
21 funds? Or are you saying just provide some guidance and
22 let them go on their own, give them the maximum
23 flexibility?

24 CHAIRPERSON MARIN: I know Mr. Washington is
25 dying to say something, so go ahead.

1 BOARD MEMBER WASHINGTON: I'm just thinking. I
2 do think that we run into the problem Madam Chair just
3 talked about. I think even with that suggestion,
4 Mr. Paparian, that we're going to run into some
5 resistance. The people have applied for this grant.
6 They've done everything we asked them to do. We give them
7 the grant. Now we're saying before you do something, we
8 have to sign off on it. People don't have that type of
9 time to wait around to do -- I mean, I just think we run
10 into some foul play here some kind of way. I don't know
11 how it happened.

12 And you might not hear from the League now, but
13 as soon as something goes wrong, you're going to have
14 every city mayor in this town calling this Board talking
15 about putting undue pressure on them, you know, after you
16 gave them this grant. I just don't think that we should
17 be going down that street to do that.

18 I don't think we have a situation that's broke.
19 I think at Committee I asked what's broke about this whole
20 thing even with the purchase of cars? There's nothing
21 broke. No one has committed anything. And I know we're
22 trying to be proactive rather than reactive. But at the
23 same time, you know, why fix it if it's not broke?

24 BOARD MEMBER PAPARIAN: To me it would be a
25 fairly simple step. The locals would take five or ten

1 minutes to ask us for approval to buy a car, and we would
2 spend five or ten minutes saying okay, or not okay, we
3 need something more on it.

4 BOARD MEMBER WASHINGTON: But if you say no, it's
5 going to take longer than five minutes.

6 BOARD MEMBER PAPARIAN: What it does, I think, is
7 protect us from the potentially embarrassing situation of
8 some locality potentially buying a car that's inconsistent
9 with what the state would require. If they buy a car
10 that's, you know, not consistent with the low emission
11 vehicle requirements or in some way is not the sort of
12 thing the state itself could purchase, it puts the Waste
13 Board and it puts the state in an embarrassing situation.
14 We're spending state money potentially on cars the state
15 itself couldn't buy.

16 So, I mean, again -- I mean, it's a few minutes
17 on the part of the locals to ask for permission to buy a
18 car. Not for the rest of the program, just for the car.
19 And a few minutes for us to take a look at it and make
20 sure it's okay.

21 CHAIRPERSON MARIN: I think that we can get a
22 consensus from the League if we go with them. And we will
23 have this discussion. We'll finish this discussion after
24 we consult with them. I think it will be the most
25 appropriate thing to do right now, if I may.

1 Was there another item? Was there another issue
2 within this item that you needed direction from?

3 DEPUTY DIRECTOR LEE: No, Madam Chair, unless
4 there's a specific comment from the Board.

5 CHAIRPERSON MARIN: Is there any other Board
6 member that wants to speak on this item?

7 BOARD MEMBER WASHINGTON: I do, Madam Chair.

8 Just briefly on the grandfathering of agencies.
9 And perhaps you can come back when we bring the item up
10 again. The question I have is how much stakeholder input
11 was given to this whole idea of grandfathering in? And
12 could this hurt larger cities, Mr. Lee, that may not be
13 getting appropriate needed coverage from the LEAs? And, I
14 mean, you understand where I'm coming from? I just don't
15 know. And we can answer that question when we come back.
16 But there's a couple of questions I would like to know in
17 terms of the grandfathering piece.

18 DEPUTY DIRECTOR LEE: If I may, Mr. Washington,
19 let me say a few points on that and maybe ask my staff to
20 chime in, too.

21 Right now, again, the proposal is to give
22 preference to LEAs or local code enforcement
23 jurisdictions, but to grandfather in, at least in terms of
24 eligibility, those people that are in the program now that
25 are making satisfactory performance. So let's take the

1 city of L.A., for example. You know, they weren't in the
2 program this year because, again, an eligible grant
3 applicant hadn't stepped forward. To the event -- and I'm
4 not sure exactly -- I guess the county of L.A. is the
5 current local enforcement agency, but also the city is
6 also a local enforcement agent, is that correct? So my
7 understanding is, using the city of L.A. as an example,
8 they would not be precluded from coming in for
9 consideration under the grant criteria as proposed.

10 BOARD MEMBER WASHINGTON: Because even with the
11 county being the LEA, that won't preclude them from coming
12 in?

13 DEPUTY DIRECTOR LEE: No. What we would look at
14 is to make sure -- if we both got the county LEA and the
15 city LEA, obviously we don't want them stepping on each
16 other's toes. So we'd be looking to make sure that the
17 areas that they're covering are mutually exclusive.

18 CHAIRPERSON MARIN: Okay. I'm sorry about that.
19 So if we may, could we please bring this back tomorrow?

20 DEPUTY DIRECTOR LEE: Yes, Madam Chair.

21 CHIEF COUNSEL CARTER: Madam Chair, Marie Carter.

22 At the Committee meeting there was a question
23 raised as to whether we could mandate the locals to
24 perform this function. And the statute PCR Section
25 42850(c) states that the locals are to request to

1 participate. So the way we have it structured now as a
2 grant is the proper mechanism. The Board does not have
3 the authority to mandate the locals do this program. That
4 was a side question that came up during discussion at
5 Committee.

6 CHAIRPERSON MARIN: Okay.

7 BOARD MEMBER PEACE: I think in SB 876 it says
8 that the Board shall consider designating a jurisdiction
9 to do this. And I was wondering if by saying in the bill
10 that we can consider designating that gave us the
11 authority to designate and say you have to do it. You're
12 telling me no, that doesn't.

13 CHIEF COUNSEL CARTER: That's correct. That
14 language was folded into a statute which is modified by
15 the statute I just cited. And it says we may designate
16 after the locals have requested.

17 CHAIRPERSON MARIN: Okay.

18 BOARD MEMBER PEACE: If we did want at some point
19 to require jurisdictions to do this, like we require a
20 jurisdiction to have an LEA, we would have to go back for
21 like a statute change?

22 CHIEF COUNSEL CARTER: Correct.

23 BOARD MEMBER PEACE: Thank you.

24 CHAIRPERSON MARIN: Okay. We'll go on to the
25 next item, which -- thank you, Mr. Lee -- which will be

1 Item 13.

2 DEPUTY DIRECTOR WOHL: Yes, Madam Chair.

3 CHAIRPERSON MARIN: Patty, Ms. Wohl.

4 DEPUTY DIRECTOR WOHL: Patty Wohl, Waste
5 Prevention and Market Development.

6 I'd also like to congratulate the new Chair and
7 thank both Linda and Bonnie for their support of many of
8 the Waste Prevention and Market Development Programs,
9 including green building, CHIPS, the Trade Show, the
10 conversion technology, a whole host of them. We really
11 appreciate your leadership. I also had planned to sing a
12 snake song. But given the time, I think I'll just go
13 right into the Board items.

14 CHAIRPERSON MARIN: We can ask you to do that,
15 you know, before.

16 Before you do that, Patty, let me just let the
17 record show that Ms. Moulton-Patterson came into the room.
18 Thank you so very much.

19 BOARD MEMBER MOULTON-PATTERSON: Sorry to be
20 late, Madam Chair. Won't happen again.

21 DEPUTY DIRECTOR WOHL: So Agenda Item 13 is --

22 CHAIRPERSON MARIN: I was wondering whether or
23 not Mr. Paparian needs to make a statement right now, Item
24 13.

25 BOARD MEMBER PAPARIAN: Yes. And if it's all

1 right, Madam Chair, if I can give a quick report on the
2 Committee, the Sustainability and Market Development
3 Committee.

4 CHAIRPERSON MARIN: I am so sorry. I have it
5 right here that you're supposed to give that.

6 BOARD MEMBER PAPARIAN: I'll try to be pretty
7 brief.

8 The Committee had 19 items. One was a discussion
9 item only in the Committee related to the Trade Show, but
10 I do want to mention a couple things about that in a
11 second.

12 We had 18 items on the consent calendar today.
13 Unfortunately, one of those 18 was a Compliance Order for
14 the city of Adelanto. Hopefully, they'll be able to come
15 through and we won't have to do anything more enforcement
16 wise with them. But I wanted to alert you to that.

17 We had quite a few local jurisdictions come up
18 for the items we had on the agenda. And, you know,
19 they're doing really good work trying to meet the
20 requirements of the law and either get to their 50 percent
21 or maintaining their 50 percent.

22 Three items not heard in the Committee will come
23 before the full Board: Number 13, which we'll hear in a
24 minute, and Numbers 16 and 17 related to conversion
25 technologies we're hearing tomorrow.

1 On the Recycled Product Trade Show, there were
2 some issues that the staff brought up to the Committee and
3 asked for some direction on. And we discussed it, and I
4 think we provided some of that direction. Questions like
5 whether the Trade Show should be one day or two days. We
6 tended towards two days. Whether there should be some of
7 the shows held in Southern California, even though it's a
8 little bit more expensive to do it there. We were
9 comfortable with some shows being in Southern California.
10 Probably on the order of a couple shows in Northern
11 California for every show in Southern California, again,
12 because it costs a lot more to move our staff down there
13 and put on the show. I'll note we are having our next
14 show in Southern California in Ontario in April.

15 And really trying to bring in the general public,
16 there's certainly no reason why the public can't come and
17 attend the shows. But we decided that we should try to
18 target the types of folks who come to the show who are not
19 your typical participants. Particularly, you know, buyers
20 from companies and others who would really use the
21 products and use them in a big way.

22 There will be attempts to continue to do joint
23 ventures with the Trade Show, like we're having the Tire
24 Conference in conjunction with the next Trade Show. We
25 had the LEA Conference in conjunction with the last Trade

1 Show. And we're going to need to continue to try to get
2 financial support to maintain the show and grow the show.
3 The staff has done a pretty good job on this, actually,
4 and has actually dropped the average cost per participant
5 in the show from about \$200 to I think the last one was
6 about \$62 per participant. So we're certainly moving in
7 the right direction there.

8 And those were all the report from the Committee,
9 Madam Chair.

10 Are we moving right into 13?

11 CHAIRPERSON MARIN: Yes, we are.

12 BOARD MEMBER PAPARIAN: If I could go ahead and
13 say something about Item 13 before staff begins its
14 presentation. I need to avoid a potential conflict of
15 interest regarding two of the proposed WRAP award
16 recipients, so I won't be participating in the substantive
17 discussion of this item, nor will I be voting regarding
18 those two entities.

19 At the end of the item, there will be two
20 separate motions and resolutions segregating the decision
21 on these two companies from the rest of the companies so I
22 will be able to vote regarding the other proposed WRAP
23 award recipients as allowed by the Fair Political
24 Practices Commission regulations Section 18709.

25 CHAIRPERSON MARIN: Wonderful. We certainly

1 wouldn't want you to be in conflict.

2 Okay. For the third time, Ms. Wohl.

3 DEPUTY DIRECTOR WOHL: With that, Agenda Item 13,
4 Consideration of the 2004 Waste Reduction Awards Program,
5 WRAP, Winners.

6 And Piper Miguelgorry will present.

7 MS. MIGUELGORRY: Good afternoon, Madam Chair and
8 Board members.

9 I'll give you a quick overview of the WRAP
10 program. Today, we're here to recognize the voluntary
11 waste reduction efforts of California businesses and
12 nonprofit organizations. This will mark our 12th year
13 this year of 2004 of bestowing the WRAP awards since 1993.
14 As you know, the annual open application period begins in
15 April and goes through June annually. And applicants may
16 apply as individual businesses or as an applicant
17 representing multiple sites.

18 The application represents the Board's waste
19 reduction priorities, for example, electronic waste and
20 sustainability. All business types, both large and small,
21 are represented. We have many multi-year prior winners
22 and non-winners that are represented.

23 Improvements are made annually to the application
24 with a stronger emphasis on qualitative and quantitative
25 responses. This year we have added the used oil and the

1 tire recycling logos to the application cover, as well as
2 we have included a section regarding fleet services.

3 In addition to the application, we use the WRAP
4 awards website for educating the public, along with the
5 resource guide which is a companion document to the WRAP
6 application and is available to assist applicants in
7 responding to various resource efficiency topics. We also
8 have the WRAP Talk newsletter that is our annual outreach
9 to preempt the application and provides a series of
10 informational pieces to enhance the program.

11 This year, the WRAP program is proposing 1,404
12 winning businesses for designation. And we have received
13 274 applications that were submitted that represent 1,428
14 facilities. Twenty-nine of the applications were multiple
15 site businesses who are proposed to win. And fortunately,
16 we have 53 of the 58 counties that are currently
17 represented with these proposed winners. You will be
18 happy to hear that the estimated tons of waste this year
19 for what has been reported by our applicants is over 27
20 million tons. In addition, they have reported to us that
21 they have saved over \$162 million in cost savings to their
22 bottom line.

23 I will entertain any questions you may have.
24 Otherwise, staff proposes that Option 1 is selected for
25 accepting the proposed list of winners.

1 CHAIRPERSON MARIN: Okay. Are there any
2 questions or comments by any staff members?

3 Ms. Peace.

4 BOARD MEMBER PEACE: If there aren't any other
5 questions, I'd like to move Resolution 2004-244(a),
6 Consideration of the 2004 Waste Reduction Awards Program
7 Winners.

8 BOARD MEMBER WASHINGTON: Second.

9 BOARD MEMBER MOULTON-PATTERSON: Second.

10 CHAIRPERSON MARIN: I heard Ms. Patterson second
11 that. So Ms. Peace motioned, and Patterson seconds that.

12 Call the roll, please.

13 EXECUTIVE ASSISTANT JIMENEZ: Mulé?

14 BOARD MEMBER MULÉ: Aye.

15 EXECUTIVE ASSISTANT JIMENEZ: Paparian?

16 BOARD MEMBER PAPARIAN: Abstain.

17 EXECUTIVE ASSISTANT JIMENEZ: Peace?

18 BOARD MEMBER PEACE: Aye.

19 EXECUTIVE ASSISTANT JIMENEZ: Washington?

20 BOARD MEMBER WASHINGTON: Aye.

21 EXECUTIVE ASSISTANT JIMENEZ: Moulton-Patterson?

22 BOARD MEMBER MOULTON-PATTERSON: Aye.

23 EXECUTIVE ASSISTANT JIMENEZ: Marin?

24 CHAIRPERSON MARIN: Aye.

25 Okay. Next item.

1 BOARD MEMBER PEACE: With that, I'd like to move
2 Resolution 2004-245(b), Consideration of the 2004 Waste
3 Reduction Awards Program Winners.

4 BOARD MEMBER MOULTON-PATTERSON: Second.

5 CHAIRPERSON MARIN: Okay. Peace motions and
6 Patterson seconds.

7 Call the roll again, please.

8 EXECUTIVE ASSISTANT JIMENEZ: Mulé?

9 BOARD MEMBER MULÉ: Aye.

10 EXECUTIVE ASSISTANT JIMENEZ: Paparian?

11 BOARD MEMBER PAPARIAN: Aye.

12 EXECUTIVE ASSISTANT JIMINEZ: Peace?

13 BOARD MEMBER PEACE: Aye.

14 EXECUTIVE ASSISTANT JIMINEZ: Washington?

15 BOARD MEMBER WASHINGTON: Aye.

16 EXECUTIVE ASSISTANT JIMENEZ: Moulton-Patterson?

17 BOARD MEMBER MOULTON-PATTERSON: Aye.

18 EXECUTIVE ASSISTANT JIMENEZ: Marin?

19 CHAIRPERSON MARIN: Aye.

20 Okay. I think that brings us to a close for
21 today, Mr. Leary. We are going into closed session, if
22 I'm not mistaken.

23 EXECUTIVE DIRECTOR LEARY: Madam Chair, I'm not
24 sure the rest of the Board is aware of your interest of
25 trailing Agenda Items 2 and 3 to tomorrow's meeting along

1 with 15 and 16. So we'll have four agenda items for
2 tomorrow's discussion, and that will complete the full
3 agenda.

4 CHAIRPERSON MARIN: Yeah. And 11.

5 EXECUTIVE DIRECTOR LEARY: And carry over 11.

6 CHAIRPERSON MARIN: And we will have --

7 Ms. Carter, do we need to say for the record that we'll go
8 into closed session?

9 CHIEF COUNSEL CARTER: Yes, Madam Chair. And
10 cite the Government Code Section applicable to this closed
11 session.

12 CHAIRPERSON MARIN: Code Section 11126(e),
13 according to that. Okay. And tomorrow the Board session
14 will reconvene at 9:30 in the morning. Thank you so much.

15 (Thereupon the California Integrated Waste
16 Management Board, Board of Administration
17 recessed into closed session at 2:26 a.m.)

18 (Thereupon the California Integrated Waste
19 Management Board, Board of Administration
20 recessed at 3:00 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 1st day of October, 2004.

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